THE MYSORE LEGISLATIVE ASSEMBLY

TWENTY-FIFTH DAY.

Saturday, 1*st April* 1961.

The House met in the Assembly Hall, Vidhana Soudha, Bangalore, at Thirty Minutes past Eight of the Clock.

Mr. CHAIRMAN (Sri **MOAHMMAD** ALI, B.A., B.L.), in the Chair.

MEMBER'S REPRESENTATIONS

Sri G. N. PUTTANNA (Tumkur).—I have got a representation to make about questions. I have given it in writing. I sent about ten starred questions and about 12 or 15 unstarred questions in the middle of December. Till to-day except four questions, the other questions have not been answered. I do not know why my questions are postponed.

Mr. CHAIRMAN.—I will try to trace out his letter and let him know to-morrow.

MYSORE MOTOR VEHICLES (TAXATION ON PASSENGERS AND GOODS) BILL, 1959—(Debate--*contd*).

Motion to consider.

† ಶ್ರೀ ವೈ. ವೀರಪ್ಪ (ಹೊಳೇನರಸೀಪುರ).—ಸ್ವಾಮಿ, ಈ ಮಸೂದೆಯು ಹಿತಕರವಾಗಿಲ್ಲವೆಂದು ನಿನ್ನೆಯ ದಿವಸ ಮಾತನಾಡುತ್ತಾ ಹೇಳಿದೆನು. ಈ ತರದ ಹೊರೆ ಹಿಂದಿನ ಕಾಲದಲ್ಲಿ ವಿಧಿಸುತ್ತಿದ್ದ ತಲೆಗಂದಾಯ Head Tax ಹಾಗೆ ಇದೆಯೆಂದು ಪರಿಗಣಿಸಬೇಕು. ಸಾಮಾನ್ಯ ಮನುಷ್ಯನ ತಲೆಯ ಮೇಲೆ ಈ ತರದ ಹೊರೆ ಬೀಳುತ್ತಿರುವದರಿಂದ ಇದು ಅನುಚಿತವಾಗಿದೆ. ನಿಜವಾಗಿಯೂ ಕೂಡ ಇದನ್ನು ಪರಿಶೀಲನೆಗೆ ಏಕೆ ಕಳಿಸಲಿಲ್ಲ? ಈ ಬಿಲ್ಲನ್ನು ಸರಕಾರ ವಾಪಸ್ ತೆಗೆದುಕೊಂಡರೆ ಉಚಿತ. ಈ ಮಸೂದೆಯನ್ನು ತರುವಾಗ್ಗೆ ಜನರ Paying capacity per capita ಎಷ್ಟಿದೆ ಎಂಬುದನ್ನು ಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡಿಲ್ಲ. ಇನ್ನು ಈ ಮಸೂದೆಯ ಹತ್ತನೇ ಕಲಮಿನಲ್ಲಿ ಇರುವ ಹಾಗೆ ನೋಟೀಸಿನ ಅವಧಿ 30 ದಿವಸ ಸಾಲುವದಿಲ್ಲ. ಈ ಅವಧಿ 90 ದಿವಸ ಇರಬೇಕು. ಈ ಮಸೂದೆಯಲ್ಲಿ ಲೋಪದೋಷಗಳಿರುವದರಿಂದ ಇದು ಸರಿಯಾದ ಕಾನೂನು ಆಗುವದಿಲ್ಲ. ಜನರಿಗೆ ತೊಂದರೆಯಾಗುತ್ತದೆ. ಆದುದರಿಂದ ಈ ಮಸೂದೆಯನ್ನು ಸರಕಾರ ದಯವಿಟ್ಟು ವಾಪಸ್ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾಗಿ ನಾನು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

(Sri C. **M** ARUMUGHAM *rose*).

Mr. CHAIRMAN.—The House was pleased to extend the time by two hours and if more members want to participate in the genera discussion so far as the consideration of this Bill is concerned, There will be very little time left for amendments. So I want to restrict the time-limit for each member.

† Indicates that the remarks or speeches have not been revised by the Member concerned.

Sri C. M. ARUMUGHAM (Kolar Gold Fields).—May I submit that for amendments there should not any restriction on time?

Mr. CHAIRMAN.—But he is not taking intc consideration the fact that the time for the disposal of this Bill is restricted. The House was pleased to enhance the time by two hours and within two hours we have to adjust. Members have sufficiently discussed the principles of the Bill; it is better that we take up amendments now.

Sri C. M. ARUMUGHAM.—I have got only one or two points to make. This measure of taxation on passengers and goods is really meant to see that the passengers pay ten per cent more than the fare they are now paying. Secondly, it is also going to hit the consumer. Suppose you levy a tax on goods transported. We are getting perishable goods from outside the State and the fruits and other perishable goods will become costlier. Therefore, this measure of taxation is going to hit the passenger, the consumer as well as the operator.

I have got one other point which the Minister will kindly consider. It is a fact that the operators of stage carriages and public carriages were making tons of money 10–15 years back; but now nationalisation of transport took place in Bombay Karnataka and other areas where Government is maintaining the stage carriages. Even there, if you look into the figures, there are 1479 buses belonging to the Government of Mysore in the entire State out of which 247 buses are running in Bangalore City alone. In Bangalore City there are good roads and on these roads what is the profit Government buses are making? For every mile Government is spending 110 nP. on a bus; therefore, they are not incurring any loss; they are not making any profit; it is run on that line. It is so in a place like Bangalore City where good roads exist. But if you take the entire State into consideration, Government buses are earning about 110–140 nP. per mile and the maintenane expense alone comes to 150 nP. Therefore, the margin left to the Government is only 50 nP. per mile. In the case of the paivate buses, the Income-tax Authority levy in such a way that they are earning 100 nP. per mile. Therefore, very little is left to the private owner. I am taking of bus owners who own one or two buses; I am not talking of those fleet owners because I do not know their condition.

The other point is, perishable goods would be costly and the rates would be increased and they will retrench the workers, if this tax is levied as proposed now. Therefore, I appeal to the Government to consider this again.

Then, Sir, there is no exemption to the co-operative societies. There are 15 to 20 such societies in Coorg, Belgaum, Bijapur and Bellary. These societies should be exampted from the purview of Section 3.

Sir, in clause 19, it is said that permission of Government should be obtained previously to prosecute any Government servant. Sir, article 361 of the Constitution gives protection to the Governor and not to the Government. When there is no protection to the Government where is the question of protection to the Government servant? Section 4 says, daily return must be submitted. Sir, in the case of Entertainment Tax and Commercial Tax, it is monthly return. If it is daily return, it would be very difficult for them. So, it should be made monthly returns. With these words I conclude my remarks.

ಶ್ರೀ ಬಿ. ಜಿ. ಖೋತ್ (ಸಾದಲಗ).— ಅಧ್ಯಕ್ಷರೇ, ಇಲ್ಲಿಯವರೆಗೂ ಅನೇಕ ವಿಷಯಗಳು ಚರ್ಚೆಯಾಗಿವೆ. ನಾನು ಇದರ ವಿಚಾರವಾಗಿ ಎರಡು ಮಾತನ್ನು ಮಾತ್ರ ಹೇಳುತ್ತೇನೆ. the villagers are very often brought into the administrative picture and thay are often taxed, ಹಳ್ಳಿಯ ಜನರ ಮೇಲೆ ಬೀಳುವ ತೆರಿಗೆಯನ್ನು ತಪ್ಪಿಸಬೇಕು, ಆದರ ದೆಸೆಯಿಂದ ಹಳ್ಳಿಯ ರೈತರ ಮೇಲೆ ಕಾರಣವಿಲ್ಲದೆ ಟ್ಯಾಕ್ಸ್ ಬೀಳುತ್ತದೆ ಎಂದು ತಿಳಿದು main roads ನಲ್ಲಿ ಪ್ರಯಾಣ ಮಾಡುವವರ ಮೇಲೆ ಮಾತ್ರ ಟ್ಯಾಕ್ಸ್ ಹಾಕಬೇಕು ಮತ್ತು interior parts ನಲ್ಲಿ ಗ್ರಾಮಾಂತರ ಪ್ರದೇಶಗಳಲ್ಲಿ ರಸ್ತೆಯಲ್ಲಿ ಪ್ರಯಾಣ ಮಾಡುವವರ ಮೇಲೆ tax ಮಾಡಬಾರದು. ಆ ಹಳ್ಳಿಯ ಜನರು ಆಗಾಗ್ಗೆ ಸಂತೆ ಪೇಟೆಗೆ ಹೋಗಬೇಕಾಗುತ್ತದೆ. ವಾರಕ್ಕೊಂದು ಸಲ ಸಂತೆಗೆ ಹೋಗಬೇಕಾಗುತ್ತದೆ. ಈಗ ಸೂಚಿಸಿರುವ tax measureನಿಂದ ಅವರೆಲ್ಲರಿಗೂ ಅಡಚಣೆಯಾಗುತ್ತದೆ, ಅವರಿಗೆ ಅಡಚಣೆಯಾಗದ ಹಾಗೆ ಮಡಬೇಕು.

ಶ್ರೀ ಕೆ. ಎಫ್. ಪಾಟೀಲ್.—ಅರ್ಧದಾರಿ main roads ನಲ್ಲಿಯೂ ಅರ್ಧದಾರಿ interior roads ನಲ್ಲಿಯೂ ಸಂಚರಿಸಿದರೆ, ಆಗ ಹೇಗೆ ಮಾಡಬೇಕು?

ಶ್ರೀ ಬಿ. ಜಿ. ಖೋತ್.—Main roads fare ಮೇಲೆ tax ಮಾಡಿ interior communications ಅಂದರೆ Rural Communications ಮೇಲೆ tax ಮಾಡಬೇಡಿರಿ. ನಗರಗಳಿಂದ ನಗರಗಳಿಗೆ ಪಟ್ಟಣಗಳಿಗೆ, ಪಟ್ಟಣಗಳಿಂದ ಪಟ್ಟಣ ನಗರಗಳಿಗೆ ಪ್ರಯಾಣ ಮಾಡುವವರ ಮೇಲೆ ಟ್ಯಾಕ್ಸ್ ಮಾಡಿರಿ. ಆದರೆ ಹಳ್ಳಿಯಿಂದ ಪೇಟೆಗೆ, ಮಾರುಕಟ್ಟೆಗೆ ಬರುವ ಹಳ್ಳಿಯ ಜನರಮೇಲೆ ಟ್ಯಾಕ್ಸ್ ಮಾಡಬೇಡಿರಿ.

ಎರಡನೆಯದಾಗಿಇದರಲ್ಲಿ ಸೂಚಿಸಿರುವಂತೆ ten per cent of the passenger fares ಬಹಳ ಹೆಚ್ಚು ಅನ್ನಿಸುತ್ತದೆ. ಅದನ್ನು ಕಡಮೆಮಾಡಬೇಕು, It shculd be five per cent that will be reaosnable. Ten per cent ಎಂದರೆ ಜನರ ಮೇಲೆ ಹೆಚ್ಚಿನ ಹೊರೆಯಾಗುತ್ತದೆ. ಈ ಕಾರಣದಿಂದ tax ಕಡಮೆ ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

†Sri K. KENCHAPPA (Hiriyur).—Sir, I oppose this legislation of levying tax on passengers and goods. Firstly, it conflicts with the provision of Article 176 which says:

> "Notwithstanding anything in Article 246, no law of the Legislature of a State relating to taxes for the benefit of the State or of a minunipality, district board, local board or other local authority therein in respect of professions, trades, callings or employments shall be invalid on the ground that it relates to a tax on income."

Secondly, if it is more then Rs. 250, it becomes illegal to tax. I want the Minister to consider whether they can support the proposition in court of law by saying that it is legal. To quote an example—suppose there

(Sri K. KENCHAPPA)

is a trader who pays 250 rupees to the Municipality by way of octroi the goods he carries, If the record shows that his octroi comes to more than Rs. 250, then, the goods are conveyed in the vehicle, then it becomes illegal to levy tax in addition.

Arrticle 275 says that the inequity in society should be reduced by the legislation. Here, there is an attempt to levy tax on all people and this include the levy on the poor people who travel. This will not help reducing inequity in the society. I come to article 271. It says that taxes in the name of surcharge cannot be levied by the State Government and it should be levied only by the Central Government.

9-00 A.M.

No doubt, Government have nct called it surcharge. They may avoid using certain words but can they in all consciousness claim that this is not in the nature of a surcharge. The bus operators collect fares from people using their vehicles, which means it is a charge for service rendered. How can Government tax the fare when they render no extra service. Therefore it is a surcharge on the fare and to that extent offends Article 271 which requires due care and caution while imposing levies on fees.

I would like to ask the Government, what exactly this levy is. Is it a duty, or a tax or a charge ? A duty is a tax, a cess is a tax. This is a levy for the service rendered to people.

May I question the Government whether taxes of this kind would promote the socialistic pattern of society to which the ruling party pays lip sympathy at every conicevable occasion. Would taxing the poor people who use motor vehicles bring inequality in wealth. Is it fair that the disciples of Mahatma Gandhi should impose crushing burdens on poverty-stricken people, when the Mahatma himself undertook Salt Satyagraha on the ground that the common man's need should not be taxed. There are people who get fat salaries. There are Ministers who get lot of Income and conveniences. Why not impose a surcharge on persons receiving big salaries. On this and on many other grounds, I strongly oppose this bill.

†ಶ್ರೀ ಕೆ. ಪಿ. ರೇವಣಸಿದ್ಧಪ್ಪ (ತಿಪಟೂರು).—ಸ್ವಾಮಿ, ಪ್ರತಿಯೊಂದು ಸಂದರ್ಭದಲ್ಲಿಯೂ ಟ್ಯಾಕ್ಸನ್ನು ಹಾಕತಕ್ಕದ್ದು ನಮ್ಮ ಸರಕಾರಕ್ಕೆ ಒಂದು ಪದ್ಧತಿಯಾಗಿ ಬಂದುಬಿಟ್ಟಿದೆ. ಈ ರೀತಿಯಾದ ತೆರಿಗೆಯನ್ನು ಏಕೆ ಹಾಕಬೇಕೆಂದು ಹೇಳಿದ್ದಾರೆಂದರೆ "Enormous Developmental Works" ಎಂದು ಹೇಳಿದರು. ಮಂತ್ರಿಗಳೇನೋ ಹೇಳುವಾಗ ಬಹಳ ಚೆನ್ನಾಗಿ ಹೇಳುವುದನ್ನು ಕಲಿತಿದ್ದಾರೆ. ಇದು ಹೇಗಿದೆ ಎಂದರೆ, ಯಾರೋ ಒಬ್ಬರು ಸೆಟ್ಟರು "ಸರಕು ಅಂತಾ ಬಾಗುಂದಿ ನಾಯನಾ" ಎಂದು ಅವರು ಹೇಳುವಾಗಲೇ ಗಂಟಲಲ್ಲೆಲ್ಲಾ ಪೂರ್ತಿಯಾಗಿ ನೀರೂರುವಂತೆ ಹೇಳುತ್ತಾರೆ. ಹಾಗೆ ನಮ್ಮ ಮಂತ್ರಿಗಳೂ ಕೂಡ ಅಷ್ಟು ಚೆನ್ನಾಗಿ ಹೇಳುತ್ತಿದ್ದಾರೆ. ಈಗ ತಂದಿರುವುದು ಕಾರ್ಯಗತವಾಗುತ್ತದೆಯೋ, ಯಾವ ರೀತಿಯಾಗಿ ಆಗುತ್ತಿದೆ, ಅಥವಾ ಇಲ್ಲ ಮತ್ತು ಇದರಿಂದ ಇನ್ನೇನು ಕಷ್ಟಗಳು

ಬರಬಹುದು, ಮತ್ತು ಯಾರಿಗೆ ತೊಂದರೆಯಾಗುತ್ತಿದೆ, ಯಾರಿಗೆ ಅನುಕೂಲವಾಗುತ್ತಿದೆ ಎನ್ನುವುದನ್ನು ಅವರು ಸರಿಯಾಗಿ ಯೋಚನೆ ಮಾಡಿಲ್ಲ. ಸೋಷಿಯಲಿಸ್ಟಿಕ್ ಸಮಾಜದ ದಾರಿಯಲ್ಲಿ ಹೋಗಬೇಕೆಂದಿರುವವರೇ ಈ ರೀತಿಯಾಗಿ ಸಾಮಾನ್ಯವಾದ ಒಬ್ಬ ಪ್ರಜೆಯ ಮೇಲೆ ತೆರಿಗೆಯನ್ನು ಏರಿಸುವುದು ಯಾವ ನ್ಯಾಯ ? ಐಶ್ವರ್ಯವಂತರ ಮೇಲೆ ತೆರಿಗೆಯನ್ನು ಹಾಕಿದರೆ ಅವರುಗಳೂ ಕೂಡ ಹೇಗೆ ಆದಾಯವನ್ನು ಕಡಿಮೆ ಮಾಡಿಕೊಳ್ಳಬಹುದು ಎಂದು ಯೋಚಿಸುತ್ತಾರೆ. ಹೀಗಿರುವಾಗ ಎಲ್ಲ ಜನರ ವಿಚಾರಗಳನ್ನು ಅರಿತುಕೊಂಡು ಮಾಡದೆ ಈ ರೀತಿ ಮಾಡುವುದು ಏನು ನ್ಯಾಯ ? ವಾಸ್ತವವಾಗಿರುವುದನ್ನೂ ಇವರು ಒಪ್ಪುವುದಿಲ್ಲವಲ್ಲ. ಹಳ್ಳಿಗಳ ರಸ್ತೆಗಳನ್ನು ಎಷ್ಟು ರಿಪೇರಿ ಮಾಡಿದೆ ಎಂದು ಹಿಂದೆ ಪ್ರಶ್ನೆ ಕೇಳಿದಾಗ ಎಷ್ಟೋ ಮೈಲಿಗಳು ಆಗಿವೆ ಎಂದು ಉತ್ತರ ಕೊಟ್ಟರು. ಅದರಂತೆ ನೋಡಿದರೂ ಹಳ್ಳಿಗಳಲ್ಲಿನ ಸಣ್ಣ ಸಣ್ಣ ಜನ ಸಾಮಾನ್ಯರಿಗೂ ಏನೂ ಅನುಕೂಲವಾಗಿಲ್ಲ. ಹಳ್ಳಿಗಳ ವಾಸ್ತವ ಪರಿಸ್ಥಿತಿ ಹೀಗಿದೆ. ಇಂತಹ ಸಣ್ಣ ರಸ್ತೆಗಳನ್ನೇ ಇನ್ನೂ ಮಾಡುವುದಕ್ಕೆ ಆಗಲಿಲ್ಲ. ಈಗ ಇನ್ನೂ ರೋಡುಗಳಿವೆ, ಸೇತುವೆಗಳು ಮಾಡಬೇಕು ಮತ್ತು ದೊಡ್ಡ ರಸ್ತೆಗಳನ್ನು ಮಾಡಬೇಕು, ಇದಕ್ಕಾಗಿ ಹಣ ಬೇಕಾಗುತ್ತದೆ ಎಂದು ಹೇಳುತ್ತಿದ್ದಾರೆ. ಇವರಿಗೆ ಸೆಂಟ್ರಲ್ ಗವರ್ನಮೆಂಟಿನವರು ಈ ರೋಡುಗಳಿಗಾಗಿ ಗ್ರಾಂಟನ್ನು ಕೊಟ್ಟಿರುವುದನ್ನೇ ಪೂರ್ತಿಯಾಗಿ ಉಪಯೋಗಿಸಿಕೊಂಡಿಲ್ಲ. ಉದಾಹರಣೆಯಾಗಿ ಹೇಳುವುದಾದರೆ, ಚಿಕ್ಕನಾಯಕನಹಳ್ಳಿ-ಹಾಸನ-ಸಕಲೇಶಪುರ-ಮಂಗಳೂರು ರೋಡು, ಈ ರೀತಿಯಾದ ದೊಡ್ಡ ರೋಡುಗಳಿಗಾಗಿ ಸೆಂಟ್ರಲ್ ಗವರ್ನಮೆಂಟಿನಿಂದ ಗ್ರಾಂಟನ್ನು ಕೊಟ್ಟು ಸುಮಾರು ಒಂದು ವರ್ಷವಾಗಿದ್ದರೂ ಈ ಪ್ರಶ್ನೆ ಹಾಗೆಯೇ ನಿಂತಿದೆ. ಈ ಬಗ್ಗೆ ಒಂದು ವರ್ಷದಿಂದಲೂ ನಾನು ಪ್ರಶ್ನೆ ಕೇಳಿದಾಗ ಇಲ್ಲಿನ ಕೆಲಸ ಅಲ್ಲೇ ಒಂದು ಸಬ್ ಡಿವಿಜನ್ನನ್ನು ಮಾಡಿ ಒಂದು ಲಾರಿ, ಒಂದು ಟ್ರಾಕ್ಟರು, ಒಂದು ಜೀಪು, ಕೆಲಸ ಮಾಡಲು ನಾಲ್ಕು ಸೂಪರ್‌ವೈಜರುಗಳು ಹೀಗೆ ನೇಮಕ ಮಾಡಿದ್ದರೂ ಇವರಿಗೆ ಮೂಡಲು ಆಫೀಸಿನಲ್ಲೇ ಒಂದು ಕಾಸಿನ ಕೆಲಸವಿಲ್ಲ. ಇಲ್ಲಿ ಕೆಲಸವನ್ನು ಮಾಡಲು ಮೊದಲು ಒಬ್ಬರು ಟೆಂಡರನ್ನು ಕೊಟ್ಟರು. ಅವರ ರೇಟು ಜಾಸ್ತಿ, ಎಸ್ಟಿಮೇಟುಗಳು ಸರಿಯಿಲ್ಲ. ಅವರು ಮಂಗಳೂರು ಕಡೆಯಿಂದ ಬಂದವರು ಎಂದು ಅವರ ಟೆಂಡರನ್ನು ಒಪ್ಪಲಿಲ್ಲ. ಹೀಗಾಗಿ ಅಲ್ಲಿ ಇನ್ನೂ ಕೆಲಸಗಳೇ ಆಗಿಲ್ಲ. ಸೆಂಟ್ರಲ್ ಗವರ್ನಮೆಂಟಿನಿಂದ ಬಂದ ಗ್ರಾಂಟನ್ನು ಸುಮಾರು ಒಂದು ವರ್ಷದಿಂದಲೂ ಉಪಯೋಗಿಸಿಕೊಳ್ಳಲು ಮೊದಲನೇ ಟೆಂಡರನ್ನು ವಜಾ ಮಾಡಿ ಈಗ ಪೀಸ್ ವರ್ಕಿನ ಮೇಲೆ ಸ್ವಲ್ಪ ಕೆಲಸವಾಗುತ್ತ ಬರುತ್ತಿದೆ. ಇನ್ನೂ ಸರಿಯಾದ ಮತ್ತು ನ್ಯಾಯವಾದ ರೀತಿಯಲ್ಲಿ ಅಲ್ಲಿನ ಬಿಲ್ಲುಗಳೇ ಪಾವತಿಯಾಗಿಲ್ಲ. ಸೆಂಟ್ರಲ್ ಗವರ್ನಮೆಂಟಿನವರು ಈ ಸರಕಾರದ ಒಬ್ಬ ಮಂತ್ರಿಗಳ ಮಕ್ಕಳಿಗೆ, ಸುಮಾರು ಒಂದು ಲಕ್ಷ ರೂಪಾಯಿಗಳ ಕೆಲಸದ ಕಾಂಟ್ರಾಕ್ಟನ್ನು ಕೊಡಬೇಕೆಂದು ಟೆಂಡರನ್ನು ಮಂಜೂರು ಮಾಡುವುದಕ್ಕೆ ಮುಂಚೆಯೇ ಬಿಲ್ಲುಗಳನ್ನು ಕೊಡುತ್ತಿದ್ದಾರೆ. ಇವರಿಗೆ ಕೊಡಲು ಹಿಂದಿನ ಟೆಂಡರಿನಲ್ಲಿದ್ದ ಕಂಡಿಷನ್ನುಗಳನ್ನೆಲ್ಲಾ ಪ್ರತಿಯೊಂದು ಐಟಮ್ಮನ್ನೂ ವಜಾಮಾಡಿಬಿಟ್ಟರು. ಹೀಗೆ ಇನ್ನೂ ಅನೇಕ ವಿಚಾರಗಳಿವೆ. ಕಾಲಾವಕಾಶವಿಲ್ಲದ್ದರಿಂದ ಇದನ್ನು ಹೇಳಲಿಲ್ಲ. ಇದನ್ನೆಲ್ಲಾ ಸರಿಯಾಗಿ ಪರಿಶೀಲನೆಗೆ ತೆಗೆದುಕೊಂಡು ಮಾನ್ಯ ಸಚಿವರು ಉತ್ತರ ಹೇಳಬೇಕೆಂದು ನಾನು ಕೇಳುತ್ತೇನೆ.

Mr. CHAIRMAN.—I think sufficient discussion has already taken place. I will give further chances to members at the time when amendments are taken up for consideration. Let the Hon'ble Minister reply now.

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ (ಒಳಾಡಳಿತ ಶಾಖೆಯ ಸಚಿವರು).—ಸ್ವಾಮೀ, ಈ ಮಸೂದೆಯ ವಿಷಯದಲ್ಲಿ ಮಾತನಾಡುತ್ತಾ ಅನೇಕ ಮಾನ್ಯ ಸದಸ್ಯರು ತಮ್ಮ ಅಭಿಪ್ರಾಯ ಒಂದು ರೀತಿಯಲ್ಲಿ ಪರಸ್ಪರ ವಿರೋಧವಾಗಿ ಬರುವ ಹಾಗೆ ಮಾತನಾಡಿದ್ದಾರೆ. ಒಂದು ಕಡೆ

(ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ)

ಬೇಕಾದಷ್ಟು ಹಣದ ಆವಶ್ಯಕತೆ ಇದೆ. ಹೆಚ್ಚು ಹೆಚ್ಚು ಇನ್ನೂ ರಸ್ತೆಗಳು ಆಗಬೇಕು. ಹೆಚ್ಚು ಹೆಚ್ಚಾಗಿ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಗಳು ಆಗಬೇಕು ಎಂಬುದಾಗಿ ಹೇಳಿದ್ದಾರೆ. ಮತ್ತೊಂದು ಕಡೆ ಇಂತಿಂಥ ಬಾಬುಗಳಿಗೆ ಹಣವನ್ನು ಹಾಕತಕ್ಕದ್ದು ಅನಾವಶ್ಯಕವೆಂದು ಹೇಳಿದ್ದಾರೆ. ಮತ್ತೆ ಹಾಗೆ ಹೇಳತಕ್ಕವರು ತಮ್ಮ ತಿದ್ದುಪಡಿಯಲ್ಲಿಯೇ ಶೇ. 10 ಭಾಗವನ್ನು ಬಿಡಿ, ಕೇವಲ ಶೇ. 5 ಭಾಗ ಮಾಡಿ ಎಂದು ಹೇಳುತ್ತಾರೆ.

ಶ್ರೀ ಜಿ. ವೆಂಕಟೇಗೌಡ.—ನಾವು ಒಪ್ಪುವುದಾದರೆ ಮಾಡಿ.

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ.—ಇದನ್ನು ತತ್ವಶಃ ಮಾನ್ಯ ಶ್ರೀ ಶೆಟ್ಟಿಯವರು ಒಪ್ಪಿಕೊಂಡದ್ದು ಬಹಳ ಸಂತೋಷ. ಶೇ 5 ಇರಬೇಕೇ ಅಥವಾ ಶೇ 10 ಇರಬೇಕೇ ಎಂಬುದು ಒಂದು ವಿವಾದಾಸ್ಪದವಾದ ಪ್ರಶ್ನೆ. I am conscions of what Sri V. Srinivasa Setty has in mind, what he has spoken to me and what be has expressed. I am very happy to say that he has always been very reasonable. ಶೇ. 5, 6 ಮತ್ತು 10 ಇರಬೇಕು ಎಂದು ಹೇಳುವುದು ಅಭಿಪ್ರಾಯದ ಮಾತು. ಅದು ಅವಶ್ಯಕತೆಯ ಮೇಲೆ ಹೋಗುತ್ತದೆ. ಜನತೆಗೆ ಎಷ್ಟರಮಟ್ಟಿಗೆ ತೆರಿಗೆಯ ಹೊರೆಯನ್ನು ಹೊರತಕ್ಕ ಶಕ್ತಿ ಇದೆ ಎನ್ನುವುದರ ಮೇಲೆ ಹೋಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಈ ಮಸೂದೆಯನ್ನು ವಿರೋಧ ಮಾಡಿದವರೂ ಸಹ ಅಂತರಂಗದಲ್ಲಿಯಾದರೂ ತತ್ವಶಃ ಅದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಾರೆ. ಈ ಸಭೆಯಲ್ಲಿ ವಿರೋಧಪಕ್ಷದವರಾಗಿ ಕೂತು ವಿರೋಧವನ್ನು ಮಾಡದಿದ್ದರೆ ಹೇಗೆ ಎನ್ನುವ ಮನೋಭಾವನೆಯನ್ನಿಟ್ಟುಕೊಂಡು ಕೆಲವರು ವಿಷಯಗಳ ಮೇಲೆ ವಿರೋಧ ಮಾಡುವುದು ಸರಿಯಲ್ಲ. ಶ್ರೀಮಾನ್ ರೇವಣ್ಣಸಿದ್ಧಪ್ಪನವರ ಮನಸ್ಸಿನಲ್ಲಿ ಈ ವಿಷಯದಲ್ಲಿ ತುಂಬಾ ಆಶೆಯೆಂಬುದು ಹೇರಳವಾಗಿದ್ದರೂ ಅವರೇ ಈ ವಿಚಾರದಲ್ಲಿ ಪರಿಶೀಲನೆ ಮಾಡಿ ನೋಡಿ ಸಂತೋಷಪಟ್ಟಿದ್ದರೂ ವಿರೋಧಪಕ್ಷದವರೊಂದಿಗೆ ಕೂತು ಸ್ವಲ್ಪವೂ ವಿರೋಧ ಮಾಡದಿದ್ದರೆ ಜನ ಏನು ಹೇಳುತ್ತಾರೋ ಎನ್ನುವ ಒಂದು ಭಾವನೆ ಅವರಲ್ಲಿ ಪ್ರಚೋದಿತವಾಗಿ ವಿರೋಧ ಮಾಡಿದರೇ ವಿನಾ ವಾಸ್ತವವಾಗಿ ವಿರೋಧ ಮಾಡಬೇಕು ಎಂದು ಮಾಡಲಿಲ್ಲವೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ಎಂ. ಸಿ. ನರಸಿಂಹನ್.—ಶೇ 15 ಏಕೆ ಹಾಕಲಿಲ್ಲ?

ಶ್ರೀಮಾನ್ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ.—ಶೇ 15-20 ಏಕೆ ಹಾಕಿಲ್ಲವೆಂಬುದರ ಪ್ರಶ್ನೆ ಬೇರೆ. ಅದು ನ್ಯಾಯವೇ, ನ್ಯಾಯವಾಗಿಲ್ಲವೇ ಎಂಬುದನ್ನು ನೋಡಬೇಕಾಗಿದೆ. ಮಾನ್ಯ ಸದಸ್ಯರ ಅಭಿಪ್ರಾಯ ಈ ರೀತಿ ಇದ್ದರೆ ನನ್ನ ಅಭ್ಯಂತರ ಏನೂ ಇಲ್ಲ. ರೋಡ್ ಟ್ಯಾಕ್ಸ್‌ನಿಂದ ಬೇಕಾದಷ್ಟು ಹಣ ಬರುತ್ತದೆ. ಅದನ್ನು ಮಾತ್ರ ಉಪಯೋಗ ಮಾಡುತ್ತಾ ಇಲ್ಲ. ಆ ಪ್ರಮಾಣದಷ್ಟು ಕೂಡ ರಸ್ತೆಗಳಿಗೆ ಬಹಳ ಮೇಲೆ ಪ್ರಮಾಣವಿಲ್ಲ. ಅದು ನನಗೆ ಪರಮಾಶ್ಚರ್ಯವಾಯಿತು. ತಮಗೆ ಅಂಕಿ ಅಂಶಗಳನ್ನು ಕೊಡುವುದಾದರೆ ಮೋಟಾರ್ ವೆಹಿಕಲ್ಸ್ ಟ್ಯಾಕ್ಸೇಷನ್ ಆಕ್ಟ್ ಪ್ರಕಾರ ಸಾಮಾನ್ಯವಾಗಿ ನಮಗೆ 58-59 ನೇ ಸಾಲಿನಲ್ಲಿ 2 ಕೋಟಿ 68 ಲಕ್ಷ ರೂಪಾಯಿಗಳ ವರಮಾನವೂ, 60-61 ನೇ ಸಾಲಿನಲ್ಲಿ 3 ಕೋಟಿ 42 ಲಕ್ಷ ರೂಪಾಯಿಗಳ ವರಮಾನವೂ ಆಗಿದೆ. ನಾವು ಖರ್ಚು ಮಾಡಿದ್ದು ರಸ್ತೆಗಳ ಮೇಲೆ 3 ಕೋಟಿ 55 ಲಕ್ಷ ರೂಪಾಯಿಗಳು ಹಿಂದೆ ಇದ್ದುದು ಈಗ 8 ಕೋಟಿ 83 ಲಕ್ಷ ರೂಪಾಯಿಗಳು ಆಗಿದೆ. ಅಂದರೆ ನಮಗೆ ಈವರ್ಷ ಮೋಟಾರ್ ವೆಹಿಕಲ್ಸ್ ಟ್ಯಾಕ್ಸೇಷನ್‌ನಿಂದ 3 ಕೋಟಿ 42 ಲಕ್ಷ ರೂಪಾಯಿಗಳು ಬಂದಿದೆ. ಆದರಲ್ಲಿ ಲೋಕಲ್ ಬೋರ್ಡುಗಳಿಗೆ ಒಂದು ಭಾಗವನ್ನು ಕೊಡಬೇಕು ಎನ್ನುವುದು ಶಾಸನದಲ್ಲಿಯೇ ವಿಧಿತವಾಗಿದೆ. ಅದು ಹೋದನಂತರ ಉಳಿಯುವುದು ನಮ್ಮ ಭಾಗ. ಆದ್ದರಿಂದ ಮಾನ್ಯ ಸದಸ್ಯರು ತಿಳಿದಿರುವ ಅಭಿಪ್ರಾಯ ತಪ್ಪು. ನಮಗೆ ಮೋಟಾರ್ ವೆಹಿಕಲ್ಸ್ ಟ್ಯಾಕ್ಸೇಷನ್

ನಿಂದ ಬರತಕ್ಕ ಉತ್ಪತ್ತಿಗಿಂತಲೂ ಕಡಿಮೆ ಹಣವನ್ನು ರಸ್ತೆಸಾರಿಗೆಗೋಸ್ಕರ ಸರ್ಕಾರದವರು ಉಪಯೋಗ ಮಾಡುತ್ತಿದ್ದಾರೆಂದು ಹೇಳುವ ಅಭಿಪ್ರಾಯ ತಪ್ಪು.

Sri M. C. NARASIMHAN.—Sir, actually you must also take into account grants that you get from the C ntre under the various acts. ಇನ್ನು ಸೆಂಟ್ರಲ್ ರೋಡ್ ಫಂಡ್ಸ್, ಕೇಂದ್ರ ಸರ್ಕಾರದ ಗ್ರಾಂಟುಗಳು, ಮತ್ತು ಷುಗರ್‌ಕೇನ್ ಸೆಸ್ ಫಂಡಿನಿಂದ ಎಷ್ಟು ಹಣ ರಿಜರ್ವ್‌ನಿಂದ ನಮಗೆ ಬರುತ್ತದೆಂಬ ವಿವರಗಳನ್ನೆಲ್ಲಾ ನಾನು ಬಲ್ಲೆ, and then you consider the actual total amount you spend on 50- civil works and 81 capital out lay on civil works *Minus* the grants you get from the Government of India and Sugarcane Cess Fund. There will be a positive balance.

Sri H. M. CHANNABASAPPA.—It would not be correct to say that. I am prepared to give all the details. ಸರಿಯಾದ ಅಂಕಿ ಅಂಶಗಳನ್ನು ಬೇಕಾದರೆ ತಮಗೆ ಮಾಹಿತಿ ಕೊಟ್ಟು ನಿಮ್ಮ ಮನಸ್ಸಿಗೆ ಸಮಾಧಾನ ಆಗುವ ರೀತಿಯಲ್ಲಿ ವಿಷಯಗಳನ್ನು ಸ್ಪಷ್ಟಪಡಿಸುತ್ತೇನೆ.

Sri M. C. NARASIMHAN.—Just this morning I have looked into the figures. If the Hon'ble Minister were to yield I want to refer to some details, Sir.

Mr. CHAIRMAN.—When the Hon'ble Minister is not yielding, is it proper for the Hon'ble Member to interrupt?

Sri M. C. NARASIMHAN.—His method of yielding is to stand in silence, Sir.

Sri H. M. CHANNABASAPPA.—Generally Sri Narasimhan is reasonable and Sometimes he becomes unreasonable. That is my difficulty in yielding to him. Otherwise I generally yield to every Hon'ble Member here and more so to lady members !

ಆದ್ದರಿಂದ ನಾವು ರಸ್ತೆಸಾರಿಗೆಗಳ ಪ್ರಗತಿಗೋಸ್ಕರವಾಗಿ ಖರ್ಚು ಮಾಡುವುದು ಬಹಳ ಹೇರಳವಾಗಿದೆ. ಇನ್ನು ಮುಂದೆ ಇನ್ನೂ ಹೇರಳವಾಗಿ ಖರ್ಚು ಮಾಡತಕ್ಕ ಪ್ರಸಂಗ ಬರುತ್ತವೆ. ಕಾರಣ ಪ್ರತಿಯೊಂದು ಕಡೆಯಲ್ಲೂ ಪಟ್ಟಣದಿಂದ ಪಟ್ಟಣಕ್ಕೆ ತಾಲ್ಲೂಕಿನಿಂದ ತಾಲ್ಲೂಕಿಗೆ ರಸ್ತೆಗಳನ್ನು ಟಾರ್ ಮಾಡಬೇಕಾಗಿದೆ, ವೈಡನ್ ಮಾಡಬೇಕಾಗಿದೆ. ಖರ್ಚು ಇದರಿಂದ ಕ್ರಮೇಣ ಹೆಚ್ಚುತ್ತದೆಯೇ ವಿನಹ ಕಡಿಮೆಯಾಗಲಿಕ್ಕೆ ಕಾರಣವಿಲ್ಲ. 7200 ಮೈಲಿಗಳ ರಸ್ತೆಯನ್ನು ಹೊಸದಾಗಿ ಮಾಡಿದ್ದೇವೆ. ಈಗ ಉತ್ತಮವಾದ ರಸ್ತೆಗಳು ಆಗಬೇಕಾದುದು ಮುಖ್ಯವಾಗಿದೆ. ಉತ್ತಮವಾದ ರಸ್ತೆಗಳನ್ನು ನಿರ್ಮಾಣ ಮಾಡಲು ಬಹಳವಾಗಿ ಜಲ್ಲಿ ಹಾಕಿಸಿ ರಸ್ತೆಗಳನ್ನು ಉತ್ತಮ ದರ್ಜೆಯಲ್ಲಿ ಮಾಡಬೇಕಾಗಿ ಬರುತ್ತದೆ. ಈ ಮೂಲಕ ದೇಶದ ಉತ್ಪತ್ತಿಯನ್ನು ಹೆಚ್ಚಿಸತಕ್ಕದ್ದು ಈ ಸನ್ನಿವೇಶದಲ್ಲಿ ಬಹಳ ಅವಶ್ಯಕವಿದೆ. ಕೆಲವು ಮಾನ್ಯ ಸದಸ್ಯರು, ಅದರಲ್ಲಿಯೂ ಮುಕ್ಕಣ್ಣಪ್ಪನವರು, ಬಡವರ ಹಿತವನ್ನು ಅವರೊಬ್ಬರೇ ಪ್ರತಿನಿಧಿಸತಕ್ಕಂತವರು, ಬಡವರ ಹಿತವನ್ನು ಕಾಯತಕ್ಕಂಥವರು ಇನ್ಯಾರೂ ಇಲ್ಲ ಎನ್ನುವ ರೀತಿಯಲ್ಲಿ ಮಾತನಾಡಿದ್ದು ನೋಡಿ ನನ್ನ ಮನಸ್ಸಿಗೆ ನೋವು ಉಂಟಾಯಿತು. ಈ ಒಂದು ಶಾಸನದಿಂದ ಬಡವರ ಹಿತಸಾಧನೆಯಾಗುತ್ತದೆಯೇ ವಿನಾ ಅವರ ಉದ್ಧಾರಕ್ಕೆ ಕುಂದುಕ ಬರುವುದಿಲ್ಲ. ಹತ್ತು ವರ್ಷಗಳಿಂದೀಚೆಗೆ, ವಿದ್ಯಾಭಿವೃದ್ಧಿ ಕ್ಷೇತ್ರದಲ್ಲಿ, ವ್ಯವಸಾಯಾಭಿವೃದ್ಧಿ ಕ್ಷೇತ್ರದಲ್ಲಿ ರಸ್ತೆಸಾರಿಗೆಗಳ ಕ್ಷೇತ್ರದಲ್ಲಿ, ಕೈಗಾರಿಕಾ ಕ್ಷೇತ್ರದಲ್ಲಿ, ಮತ್ತಿತರ ಎಲ್ಲಾ ಆರ್ಥಿಕ ಮತ್ತು ಸಾಮಾಜಿಕ

(ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ)

ಕ್ಷೇತ್ರಗಳಲ್ಲಿ ಕೂಡ ಆಗಿರತಕ್ಕಂಥ ಅಭಿವೃದ್ಧಿ ಕೆಲಸ ಕಾರ್ಯಗಳನ್ನು ನೋಡಿದರೆ, ಅವು ಎಷ್ಟು ದೊಡ್ಡ ಪ್ರಮಾಣದಲ್ಲಿ ಆಗಿವೆ ಎನ್ನುವುದು ಗೊತ್ತಾಗುತ್ತದೆ ಮತ್ತು ನೀವು ಹೇಳತಕ್ಕಂಥಾದ್ದರಲ್ಲಿ ಲೇಶಾಂಶ ಹುರುಳಿಲ್ಲ ಎಂದು ಹಳ್ಳಿಯಲ್ಲಿರುವ ಬೋರೇಗೌಡನು ಹೇಳಿಬಿಡುತ್ತಾನೆ. 1947ನೆಯ ಇಸವಿಯಲ್ಲಿ ದೇಶದ ಪರಿಸ್ಥಿತಿ ಏನಿತ್ತು, ಇವತ್ತಿನ ದಿವಸ ದೇಶದಲ್ಲಿ ಪರಿಸ್ಥಿತಿ ಏನಿದೆ ಎನ್ನತಕ್ಕಂಥಾದ್ದನ್ನು ಅಂಕಿ ಅಂಶಗಳಿಂದ ಪರಿಶೀಲನೆ ಮಾಡಿನೋಡಿದರೆ, ಕ್ರಾಂತಿಕಾರಕವಾದ ಬದಲಾವಣೆಗಳಾಗಿವೆ, ಅವು ಸಾಮಾನ್ಯವಾದ ಬದಲಾವಣೆಗಳಲ್ಲ. ನಮ್ಮ ಊಹೆಗೆ ಕೂಡ ಮಿತಿಮೀರಿದ ರೀತಿಯಲ್ಲಿ ಅಭಿವೃದ್ಧಿ ಕೆಲಸಕಾರ್ಯಗಳು ಹಳ್ಳಿಗಾಡಿನಲ್ಲಿ ಆಗಿವೆ.

I know that the Hon'ble Member Sri Chamaiah is so happy that so many things are being done. but unfortunately you have joined your friends opposite and so you have no alternative but say that something is wrong.

Sri J. VENKATAPPA.—Is it your opinion that others should not exist?

Sri H. M. CHANNABASAPPA.—I have always said you must exist and co-exist with us. We must also exist and co-exist with you. All of us must exist and co-exist and be happy. ಏಕೆ, ನಮ್ಮ ಶ್ರೀನಿವಾಸ ಶೆಟ್ಟರಿಗೆ ಗೊತ್ತು; ಅದ್ಭುತವಾದ ಕೆಲಸಕಾರ್ಯಗಳು ದಕ್ಷಿಣ ಕನ್ನಡ ಜಿಲ್ಲೆಯಲ್ಲಿ ಆಗಿದೆಯೆನ್ನುವುದು: ನಾನು ಹೇಳಬೇಕಾದ್ದೇಇಲ್ಲ.

ಒಬ್ಬ ಸದಸ್ಯರು.—ಇಂಡಿಯ ಸರ್ಕಾರದ ಗ್ರಾಂಟುಗಳಿಂದ ಆಗಿದೆ.

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ.—ಇಂಡಿಯಾ ಸರ್ಕಾರದ ಗ್ರಾಂಟಿನಿಂದಲೇ ಆಗಲಿ, ಮತ್ತೊಂದು ಗ್ರಾಂಟಿನಿಂದಾಗಲಿ, ಇಂಡಿಯ ಗೌರ್ನ್‌ಮೆಂಟಿನವರೂ ನಮ್ಮ ಗೌರ್ನ್‌ಮೆಂಟಿನವರೇ, ನೀವೂ ನಮ್ಮ ಗೌರ್ನ್‌ಮೆಂಟಿನವರೇ. ಯಾವ ಗೌರ್ನಮೆಂಟಿನ ಸಹಾಯದಿಂದಲೇ ಆಗಲಿ ಒಟ್ಟಿನಲ್ಲಿ ಜನಗಳಿಗೆ ಅನುಕೂಲವಾಗಿದೆಯೆನುವುದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಿ. ಕೊಳ್ಳೇಗಾಲ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಕೂಡ ಎಷ್ಟು ರಸ್ತೆಯಾಗಿದೆ. ಮೊನ್ನೆತಾನೆ ಅಲ್ಲಿ ಲಕ್ಷಾಂತರ ರೂಪಾಯಿನಲ್ಲಿ ರಸ್ತೆಯಾಗಬೇಕೆಂದು ನಿರ್ಧಾರ ಮಾಡಿತು. ಇಂಥವುದರಲ್ಲಿ ನೀವು ಬಡವನ ಹಿತಸಾಧನೆಯಾಗುತ್ತಿಲ್ಲವೆಂದು ಹೇಳಿದರೆ ವಾಸ್ತವವಾಗಿ ಬಡವನಿಗೆ ಅಪಚಾರ ಮಾಡುವುದಿರಲಿ, ನಿಮಗೆ ನೀವೇ ಅಪಪ್ರಚಾರ ಮಾಡಿಕೊಳ್ಳುತ್ತಿದ್ದೀರಿ. ಅಭಿವೃದ್ಧಿ ಕೆಲಸಕಾರ್ಯಗಳಾಗಬೇಕಾದರೆ, ಹಣ ಆಗಬೇಕು. ಹಣವನ್ನು ತೆರಿಗೆ ಹಾಕದೇನೆಯೇ ಯಾವ ತರಹ ಉತ್ಪಾದನೆಯೂ ಇಲ್ಲದೇನೆಯೇ, ಮಾಯ ಮಂತ್ರ ಮಾಡಿ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಗಳನ್ನು ಮಾಡುವುದಕ್ಕಾಗುತ್ತದೆಯೇ! ಅನುಕೂಲಸ್ಥರ ಮೇಲೆ ತೆರಿಗೆ ಹಾಕಿಯೆಂದು ಹೇಳಿದರು ಅನುಕೂಲಸ್ಥರು ಯಾರು, ಯಾರಿಲ್ಲ ಎನ್ನುವುದನ್ನು ಪರಿಶೀಲನೆ ಮಾಡಿ ಹಾಕೋಣ. ಆ ವಿಷಯ ಬೇರೆ. ಈಗ ಈ ಶಾಸನ ಅದರ ಮೆರಿಟ್ ಮೇಲೆ, ಅದರ ಯೋಗ್ಯತೆ ಮೇಲೆ, ಆಗಬೇಕಾದುದು. ಈ ಶಾಸನ ಬರೀ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿಯೇ ಅಲ್ಲ, ದೇಶದ ಎಲ್ಲ ಬಾಗಗಳಲ್ಲಿಯೂ ಕೂಡ ಈಗ ಆಗಿ, ಈ ಟ್ಯಾಕ್ಸನ್ನು ಹಾಕಿದ್ದಾರೆ. ಅಲ್ಲಿ ಏನೂ ಅನಾಹುತವಾಗಿಲ್ಲ. ಬಡವನ ಕೊಲೆ ಆಗಿಲ್ಲ, ಬಡವ ಸಂತೋಷಪಟ್ಟಿದ್ದಾನೆ. ಇವತ್ತಿನ ದಿವಸ ಬಡವನ ಮನೋಭಾವ ಏನಿದೆಯೆಂಬುದು ನಮಗೆ ಗೊತ್ತು. ನಾವು ಅದನ್ನೇ ಈ ಸಭೆಯಲ್ಲಿ ನಿಜವಾಗಿಯೂ ಪ್ರತಿಬಿಂಬಿಸುತ್ತಿದ್ದೇವೆ. ನಮಗೆ ಎಷ್ಟೊಂದು ಕಂದಾಯ ಹಾಕಿದರೂ ಪರವಾಗಿಲ್ಲ, ಹೆಚ್ಚು ಹೆಚ್ಚು ಅನುಕೂಲಗಳನ್ನು ಮಾಡಿಕೊಡಿ ಎಂದು ಜನ ಹೇಳುತ್ತಿದ್ದಾರೆ. ಯಾವ ಹಳ್ಳಿಗೆ ಹೊದರೂ ಕೂಡ, ಅಲ್ಲಿ ಹಿಂದಿದ್ದ ಪರಿಸ್ಥಿತಿ ಇವತ್ತು ಇಲ್ಲ. ಮಣ್ಣು ರಸ್ತೆಯಾದ ಕೂಡಲೇ ಜಲ್ಲಿ ರಸ್ತೆಮಾಡಿ ಅನ್ನುತ್ತಾರೆ. ಅದಾದ ಕೂಡಲೇ, ಟಾರ್ ರಸ್ತೆಯಾಗಬೇಕೆನ್ನುತ್ತಾರೆ. ಟಾರ್

ಆದಕೂಡಲೆ ಸಿಮೆಂಟ್ ರಸ್ತೆಯಾಗಬೇಕೆನ್ನುತ್ತಾರೆ, ಸಿಮೆಂಟ್ ಆದಕೂಡಲೆ ವಿಮಾನದಲ್ಲಿ ತಿರುಗಬೇಕೆನ್ನುತ್ತಾರೆ. ಈ ತರಹ ಜನರ ಆಸೆ ಆಕಾಂಕ್ಷೆಗಳು ವಿದ್ಯುದ್ವೇಗದಲ್ಲಿ ಹೋಗುತ್ತಾ ಇರುವಾಗ ನಾವು ಅವುಗಳನ್ನು ಈಡೇರಿಸುವ ಪ್ರತಿಕ್ರಿಯೆ ತೋರಿಸದೆ ಹೋದರೆ ಜನರಿಗೆ ದ್ರೋಹ ಮಾಡಿದಂತೆ ಆಗುತ್ತದೆ; ವಾಸ್ತವವಾಗಿ ಜನರಿಗೆ ಅನುಕೂಲ ಮಾಡಿದಂತೆ ಆಗುವುದಿಲ್ಲ. ದೊಡ್ಡ ಜಲಾಶಯಗಳಾದ ಕನ್ನಂಬಾಡಿ ಮುಂತಾದವುಗಳ ಕೆಳಗೆ ರೈತಾಪಿ ಜನಗಳು ಬೆಳೆದ ದವಸವನ್ನು ಮತ್ತು ಗೊಬ್ಬರ ಮುಂತಾದುವನ್ನು ಸಾಗಿಸುವುದಕ್ಕೆ ಹಿಂದೆ ಎಷ್ಟು ಕಷ್ಟಪಡುತ್ತಿದ್ದರು, ಆದರೆ ಇವತ್ತು ಬೇಕಾದ ಕಡೆಗಳಲ್ಲಿ ಸೇತುವೆಗಳು, ರಸ್ತೆಗಳು ಆಗಿರುವುದರಿಂದ ಜನಗಳಿಗೆ ಅನುಕೂಲವಾಗಿ ಅವರು ನಾವುಮಾಡಿದ ಕೆಲಸಗಳಿಂದ ಸಂತೋಷ ಪಡುತ್ತಿದ್ದಾರೆ. ಅಂತಹುದರಲ್ಲಿ ಅವರ ಯೋಚನೆ ನಮಗೆ ಏನಾದರೂ ಇದೆಯೇ?

Sri K. KENCHAPPA.—I am prepared to go with him and show him what is the actual position to-day.

Sri H. M. CHANNABASAPPA.—I know Sri Kenchappa too well. He has very great respect for me and *vice versa* also except on the floor of the Assembly.

ಆದ್ದರಿಂದ ಈ ಒಂದು ಮಸೂದೆ ದೇಶದ ಹಿತದೃಷ್ಟಿಯಿಂದ ಅತ್ಯವಶ್ಯಕ; ಬಡವರ ಹಿತದೃಷ್ಟಿಯಿಂದ ಅತ್ಯಾವಶ್ಯಕ, ದೇಶದಲ್ಲಿ ಅಭಿವೃದ್ಧಿ ಕೆಲಸಕಾರ್ಯಗಳು ವಿದ್ಯುದ್ವೇಗದಲ್ಲಿ ನಡೆದು ಎಲ್ಲರಿಗೂ ಅನುಕೂಲಗಳು ದೊರಕುವುದಕ್ಕೆ ಈ ಹಣ ಅವಶ್ಯಕ. ರಚನಾತ್ಮಕವಾಗಿ ನೀವು ಏನೇ ಸಲಹೆ ಕೊಡಲಿ; ಅದನ್ನು ನಾನು ವಿಶ್ವಾಸದಿಂದ ಸ್ವಾಗತಿಸುತ್ತೇನೆ. ನೀವು ರಚನಾತ್ಮಕ ದೃಷ್ಟಿಯಿಂದಲ್ಲದೆ, ಏನೋ ತಕರಾರು ಹಾಕಬೇಕೆಂಬ ಮನೋಭಾವದಿಂದ ಈ ಮಸೂದೆಯನ್ನು ವಿರೋಧಿಸಬೇಡಿ. ತಕರಾರು ಹಾಕುವ ವಿಷಯಗಳು ಬೇರೆ ಇವೆ, ಅಲ್ಲಿ ತಕರಾರು ಹಾಕಿ, ಅವು ನ್ಯಾಯವಾದ ತಕರಾರುಗಳಿರಬಹುದು, ರೇವಣ್ಣಸಿದ್ದಪ್ಪನವರು ಕಲೆಕ್ಟ್ ಮಾಡಿದ ಹಣವನ್ನೆಲ್ಲಾ ಚೆನ್ನಾಗಿ ಖರ್ಚುಮಾಡಬೇಕೆಂದು ಹೇಳಿದರು, ಅದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ. ಆದರೆ ಟ್ಯಾಕ್ಸೇಷನ್ನೇ ಬೇಡ ಎಂದು ಹೇಳುವುದು ಬೇಡ. ಕಲೆಕ್ಟ್ ಮಾಡಿದ ಪ್ರತಿಯೊಂದು ಕಾಸನ್ನೂ ಸದ್ವಿನಿಯೋಗವಾಗುವ ರೀತಿಯಲ್ಲಿ ಜನಗಳಿಗೆ ಪ್ರಯೋಜನವಾಗುವ ರೀತಿಯಲ್ಲಿ ಖರ್ಚುಮಾಡುತ್ತೇವೆ. ಹಾಗೆ ಖರ್ಚುಮಾಡುವಾಗ ಏನಾದರೂ ಲೋಪದೋಷಗಳಿದ್ದರೆ, ಅವು ಯಾವುವು ಎಂಬುದನ್ನು ತೋರಿಸಿ ಕೊಡಿ. ಅವುಗಳನ್ನು ಬಹಳ ವಿಶ್ವಾಸದಿಂದ ಸರಿಪಡಿಸುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡುತ್ತೇನೆ. ರೇವಣಸಿದ್ದಪ್ಪನವರು ವಸೂಲಿಮಾಡಿದ ಹಣ ಸದ್ವಿನಿಯೋಗವಾಗಬೇಕು ಎಂದು ಮಾಡಿದ ಸಲಹೆಯನ್ನು ನಾನೂ ಪ್ರತಿಬಿಂಬಿಸುತ್ತೇನೆ. ಮತ್ತು ಆ ಸಲಹೆಯನ್ನು ಕಾರ್ಯಗತಮಾಡುವ ಭರವಸೆಯನ್ನೂ ತಮಗೆ ಕೊಡುತ್ತೇನೆ. ತಾವು ಟ್ಯಾಕ್ಸೇಷನ್ನಿಂದ ಬಂದ ಹಣವನ್ನು ಜನಗಳಿಗೆ ಉಪಯೋಗವಾಗುವ ರೀತಿಯಲ್ಲಿ ಖರ್ಚುಮಾಡಲು ಏನೇನು ಸಲಹೆಗಳನ್ನು ಕೊಟ್ಟಿದ್ದೀರೋ ಅವುಗಳನ್ನು ಒಪ್ಪಿಕೊಂಡಿದ್ದೇನೆ. ಟ್ಯಾಕ್ಸಿನಿಂದ ಕಲೆಕ್ಟ್ ಮಾಡಿದ ಪ್ರತಿಯೊಂದು ಕಾಸನ್ನೂ ಕಣ್ಣಲ್ಲಿ ಕಣ್ಣಿಟ್ಟುಕೊಂಡು ಸದ್ವಿನಿಯೋಗ ಮಾಡುತ್ತೇವೆಂದು ಮಾತ್ರ ಭರವಸೆ ಕೊಡುತ್ತೇನೆ. ಆದ್ದರಿಂದ ದಯೆಯಿಟ್ಟು ಎಲ್ಲರೂ ಈ ಮಸೂದೆಗೆ ಒಪ್ಪಿಗೆ ಕೊಟ್ಟುಬಿಡಿ.

ಕೆಲವು ಸಣ್ಣ ವಿಷಯಗಳನ್ನು ತಾವು ಪ್ರಸ್ತಾಪ ಮಾಡಿದ್ದೀರಿ. ಅವು ಎಲ್ಲಾ ವಿವರಗಳ ಪ್ರಶ್ನೆ. ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬಂದ ಕಾಲದಲ್ಲಿ ಅವುಗಳನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡುತ್ತೇನೆ.

ಒಟ್ಟಿನಲ್ಲಿ ತಮ್ಮ ಅಭಿಪ್ರಾಯ ವಾಸ್ತವಿಕವಾಗಿ ನಮ್ಮ ಕಡೆ ಇದೆಯೆಂದು ನಂಬಿ, ತಮ್ಮ ಒಪ್ಪಿಗೆಯನ್ನು ಬಹಳ ವಿಶ್ವಾಸದಿಂದ ಕೊಡಬೇಕೆಂದು ನಾನು ತಮ್ಮಲ್ಲಿ ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

MR. CHAIRMAN.—I want to know from the mover of the amendment whether he desires to withdraw the amendment or press for it.

Sri U. M. MADAPPA.—I would have withdrawn, but the Hon'ble Minister did not have even the courtesy to request me to withdraw it.

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ.—ಮಾನ್ಯ ಸದಸ್ಯರು ಕಿವಿಗೊಟ್ಟು ಕೇಳಿದರು ಎಂದು ಕಾಣುತ್ತದೆ. ನಾನು ಅವರನ್ನು ಕೇಳಿಕೊಳ್ಳುವುದನ್ನು ಮರೆತುಬಿಟ್ಟೆ. ಮೊಟ್ಟಮೊದಲು. ಭಾಷಣದ ಪ್ರಾರಂಭದಲ್ಲಿಯೇ ಹೇಳಿದೆ. ಈ ಮಸೂದೆ ಆಗಲೇ ಸುಮಾರು 7-12-1959 ರಲ್ಲಿ ಪಬ್ಲಿಷ್ ಆಯಿತು ಮತ್ತು ಇಂಟ್ರೊಡ್ಯೂಸ್ ಆಯಿತು. ಮತ್ತು ಆವಾಗಿನಿಂದ ದೇಶದ ಮುಂದೆ ಇದೆ. ಆದಕಾರಣ ಅದನ್ನು ಪುನಃ ಪಬ್ಲಿಷ್ ಮಾಡಿ ಜನಗಳ ಅಭಿಪ್ರಾಯ ಪಡೆಯುವುದು ಅನಾವಶ್ಯಕ. ಆ ದೃಷ್ಟಿಯಿಂದ ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಶ್ರೀ ಮಾದಪ್ಪನವರು ಈ ಅನಾವಶ್ಯಕವಾದ ಅಮೆಂಡ್‌ಮೆಂಟನ್ನು ವಾಪಸ್ಸು ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಬಹಳ ವಿನಯದಿಂದ ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

Sri U. M. MADAPPA.—I press for my amendment.

Mr. CHAIRMAN.—Now I shall put the motion to vote. The question is :

"Thnt the Mysore Motor vehicles (Taxation on Passengers and Goods) Bill, 1959 be circulated for eliciting public opinion before the end of 30th June 1961."

The motion was negatived.

Mr. CHAIRMAV.—I shall put the main consideration motion to vote. The question is :

"That the Mysore Motor Vehicles (Taxation on Passengers and Goods) Bill, 1959, be taken into consideration."

The motion was adopted.

Mr. CHAIRMAN.—Now the motion for referenoe to a Select Committee.

Sri Y. VEERAPPA (Holenaripura).—Sir, on behalf or Sri C. J. Muckannappa, I move :

"That the Mysore Motor Vehicles (Taxation on passengers and Goods) Bill, 1959, be referred to a select committee consisting of the following members, *viz* :

Sriyuts :

1. J. B. Mallaradhya
2. B. K. Puttaramiah
3. G. Venkatai Gowda
4. B. R. Sunthankar
5. H. M. Channabasappa
6. B. Vaikunta Baliga
7. C. M. Arumugham
8. G. E. Hoover, and
9. Smt. Nagarathnamma

and that the report be presented before the end of the Session."

Mr. CHAIRMAN.—Motion moved :

"That the Mysore Motor Vehicles (Taxation on Passengers and Goods) Bill, 1959, be referred to a elect committee consisting of the following members, *viz.*,

Sriyuts:

1. J. B. Mallaradhya
2. B. K. Puttaramiah
3. G. Venkatai Gowda
4. B. R. Sunthankar
5. H. M. Channabasappa
6. B. Vaikunta Baliga
7. C. M. Arumugham
8. G. E. Hoover and
9. smt. Nagarathnamma

and that the report be presented before the end of the Session.''

†ಶ್ರೀ ವೈ. ವೀರಪ್ಪ.—ಈಗಾಗಲೇ ಈ ಬಿಲ್ಲಿನ ವಿಚಾರದಲ್ಲಿ ಅನೇಕ ಅಭಿಪ್ರಾಯಗಳನ್ನು ನನ್ನ ಸ್ನೇಹಿತರು ಈ ಸಭೆಯ ಮುಂದಿಟ್ಟಿದ್ದಾರೆ. ಈ ಅಭಿಪ್ರಾಯಗಳಿಗೆ ಪ್ರತ್ಯುತ್ತರವಾಗಿ ಮಾನ್ಯ ಮಂತ್ರಿಗಳೂ ಸಹ ಬಹು ಸೊಗಸಾದ ತಿಳಿಗನ್ನಡದಲ್ಲಿ ಮಾತನಾಡಿರುತ್ತಾರೆ. ಆದರೆ ಇತ್ತೀಚೆಗೆ ಈ ಡಿಬೇಟಿನಲ್ಲಿ ಶ್ರೀಮಾನ್ ಕೆಂಚಪ್ಪನವರು ಪಾತ್ರ ತೆಗೆದುಕೊಂಡ ಮೇಲೆ ನಮ್ಮೆಲ್ಲರಿಗೂ ಒಂದು ಪ್ರಚೋದನೆ ಮಾಡತಕ್ಕ ಅಭಿಪ್ರಾಯವನ್ನು ಅವರು ಹೊರಗೆಡವಿದ್ದಾರೆ. ಈ ಮಸೂದೆಯಲ್ಲಿ ತಿಳಿಸಿರುವ ಪ್ರಕಾರ ಆಪರೇಟರುಗಳು ಈ ತೆರಿಗೆಯನ್ನು ಕೊಡಬೇಕಾಗಿದೆಯೇ ವಿನಾ ಪ್ರಯಾಣಿಕರು ಕೊಡಬೇಕಾಗಿಲ್ಲವೆಂತ ಒಂದು ಮಾತನ್ನು ಹೇಳಿದ್ದಾರೆ. ಅಂತೂ ಹೀಗೆ ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಅಡಕವಾಗಿರುವ ಅನೇಕ ಅಂಶಗಳು ಇದು ಒಂದು ಶಾಸನಕಡಿತಕ್ಕೇರಿದ ಮೇಲೆ ಜನರಿಗೆ ಮುಂದೆ ನಾನಾ ತೊಂದರೆಗಳನ್ನು ಕೊಡತಕ್ಕ ಸಂದರ್ಭಗಳುಂಟಾಗುತ್ತವೆ. ನಾವೀಗ ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಅಡಕವಾಗಿರತಕ್ಕ ಮೂರನೇ ಕ್ಲಾಜನ್ನು ನೋಡಿದರೆ ಈ ವಾಹನಗಳ ಆಪರೇಟರುಗಳೇನಿದ್ದಾರೆ ಅವರು ಈಗ ಈ ಮಸೂದೆಯಲ್ಲಿ ಸೂಚಿಸಿರತಕ್ಕ ಹತ್ತು ಪರ್ಸೆಂಟ್ ರೇಟಿನ ಪ್ರಕಾರ ಟ್ಯಾಕ್ಸನ್ನು ಜನರಿಂದ ನೇರವಾಗಿ ವಸೂಲ್ಮಾಡಬೇಕೇ ಅಥವಾ ಜನರೇ ನೇರವಾಗಿ ಈ ತೆರಿಗೆಯನ್ನು ಕೊಡಬೇಕೇ ಎಂಬುದು ಯಾವುದೂ ನಿರ್ದಿಷ್ಟವಾಗಿ ಗೊತ್ತಾಗುವಂತಿಲ್ಲ. ಇದರಲ್ಲಿ ಈ ಒಂದು ಅನುಮಾನ ಅಡಕವಾಗಿದೆ. ಈ ಕ್ಲಾಜು ಸ್ಪಷ್ಟವಾಗಿಲ್ಲ. ಇದಾದ ನಂತರ ಈ ತೆರಿಗೆಯನ್ನು ಕೊಡದೆ ತಪ್ಪಿಸಿಕೊಳ್ಳತಕ್ಕ ಜನರೇನಿದ್ದಾರೆ ಅಂಥವರ ಮೇಲೆ ತಕ್ಸೀರು ಸಾಬೀಕಾದ ನಂತರ ಆವರು 30 ದಿವಸಗಳೊಳಗೇ ಮೇಲ್ಪಟ್ಟವರಿಗೆ ಅಪೀಲ್ ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂದು ತಿಳಿಸಿರುತ್ತೆ. ಇದು ಬಹಳ ಕಷ್ಟ. ಆನಂತರ ಈ ಬಿಲ್ಲಿನಲ್ಲಿರತಕ್ಕ ಕ್ಲಾಜ್ 14 (2) ರಲ್ಲಿ ಹೇಳಿರುವ ಪ್ರಕಾರ ಈ ವೆಹಿಕಲ್ಸ್‌ಗಳ ಆಪರೇಟರು ತಾನು ಕೊಡತಕ್ಕ ಟ್ಯಾಕ್ಸನ್ನು ಕಾಂಪೋಸಿಷನ್ ಮಾಡಿಕೊಂಡರೆ ಆನಂತರ ಆ ಅಪರೇಟರು ಈ ಟ್ಯಾಕ್ಸನ್ನು ಪ್ರಯಾಣಿಕರಿಂದ ವಸೂಲ್ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂತಲೂ ಮತ್ತೊಂದು ಕಡೆ ವಸೂಲ್ಮಾಡಕೂಡದೆಂತಲೂ ಅರ್ಥ ಬರುವ ರೀತಿಯಲ್ಲಿ ನಮೂದಿಸಲಾಗಿದೆ. ಹೀಗೆ ಈ ಕ್ಲಾಜಿನಲ್ಲಿ ಹೇಳಿರತಕ್ಕದ್ದು ಸಹ ಬಹು ಅನುಮಾನಾಸ್ಪದವಾದುದಾಗಿದೆ. ಒಂದು ಕಡೆ ಈ ಆಪರೇಷನ್ ಸುಂಕವನ್ನು ಪ್ರಯಾಣಿಕರಿಂದ ವಸೂಲ್ಮಾಡಬಾರದೆಂದು ಹೇಳಿ ಅನಂತರ ಷೆಡ್ಯೂಲಿನಲ್ಲಿ ಒಂದು ತಿಂಗಳಿಗೆ ಒಂದು ಸೀಟಿಗೆ 7½ ರೂಪಾಯಿಗಳ ತೆರಿಗೆ ವಸೂಲ್ಮಾಡಬೇಕೆಂದು ಹೇಳಲಾಗಿದೆ. ಹೀಗೆ ಹೇಳಿರತಕ್ಕದ್ದು ಸೂಕ್ತವೇ–ಸೂಕ್ತವಲ್ಲವೇ ಎಂಬುದನ್ನು ಪರಿಶೀಲಿಸಬೇಕಾಗಿದೆ. ನಮ್ಮ ಪಕ್ಕದ ರಾಜ್ಯದಲ್ಲಿ ಇಂಥದೇ ಒಂದು ಮಸೂದೆಯನ್ನು ಜಾರಿಗೆ ತಂದಿರುವ ಸಂಬಂಧದಲ್ಲಿ ಅಲ್ಲಿ ತಿಂಗಳಿಗೆ ಒಂದು ಸೀಟಿಗೆ 12½ ರೂ. ಗಳಂತೆ ಅವರು ಟ್ಯಾಕ್ಸನ್ನು ವಸೂಲ್ಮಾಡಿಕೊಳ್ಳುತ್ತಿದ್ದಾರೆ. ಅದಕ್ಕೆ ಇಲ್ಲಿ 7½ ರೂ. ಗಳನ್ನು ವಸೂಲ್ಮಾಡಬೇಕೆಂದು ತಿಳಿಸಲಾಗಿದೆ. ಇದರಲ್ಲಿ ಹೀಗೆಲ್ಲ ಅನೇಕ ತೊಂದರೆಗಳಿರುವುದರಿಂದ ಇದನ್ನೆಲ್ಲಾ ಕೂಲಂಕಷವಾಗಿ ವಿಮರ್ಶೆ ಮಾಡಬೇಕಾದ ಅಗತ್ಯವಿದೆ. ಇಲ್ಲವಾದರೆ ನಾಳೆ ಈ ಬಗ್ಗೆ ಹೈಕೋರ್ಟಿಗೆ ರಿಟ್ ಅರ್ಜಿಗಳು ಹೋಗಬಹುದಾದ ಸಂದರ್ಭಗಳುಂಟಾಗಬಹುದು. ಇಷ್ಟೇ ಅಲ್ಲದೆ ಈ ಸಂಬಂಧದಲ್ಲಿ ಸರ್ಕಾರಿ

(ಶ್ರೀ ವೆಂ. ವೀರಪ್ಪ)

ಅಧಿಕಾರಿಗಳ ಮೇಲೇನಾದರೂ ಕೋರ್ಟಿನಲ್ಲಿ ವ್ಯವಹಾರ ಹೂಡಬೇಕಾದರೆ ಅದಕ್ಕೆ ಪೂರ್ವ ಭಾವಿಯಾಗಿ ಸರ್ಕಾರದ ಅನುಮತಿ ಪಡೆಯಬೇಕೆಂದು ಬೇರೆ ಹೇಳಿದ್ದಾರೆ. ಆದರೆ ಈ ದಿವಸ ನಮ್ಮ ರಾಜ್ಯಾಂಗದಲ್ಲಿ ಅಡಕವಾಗಿರತಕ್ಕ ನಿಬಂಧನೆಗಳಿಗನುಗುಣವಾಗಿ ಅಂದರೆ ಆರ್ಟಿಕಲ್ 14 ರ ಪ್ರಕಾರ ಜನರಲ್ಲಿ ಒಬ್ಬರಿಗೊಂದು ಇನ್ನೊಬ್ಬರಿಗೊಂದರಂತೆ ವಿಂಗಡಣೆ ಮಾಡುವ ಹಾಗಿಲ್ಲ. ಈ ರೀತಿ ಮಾಡುವುದು ರಾಜ್ಯಾಂಗಕ್ಕೆ ವಿರುದ್ಧವಾದದ್ದು. ಮತ್ತೊಂದು ವಿಚಾರವೇನೆಂದರೆ ಈ ದಿವಸ ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ಜನಸಾಮಾನ್ಯರು-ಅದರಲ್ಲೂ ರೈತಾಪಿ ವರ್ಗದ ಜನರು ವರ್ಷದೊಳಗೆ ಎಂದಾಂರೊಂದು ದಿನ ಯಾತ್ರೆ ಇತ್ಯಾದಿ ಹೋಗಬೇಕಾಗಿದ್ದರೆ ಈ ಮಸೂದೆಯಿಂದ ಅವರಿಗೆ ತೊಂದರೆಯಗುತ್ತದೆ. ಅವರಿಗೆ ಈಗ ಇರತಕ್ಕ ಬಸ್ ಛಾರ್ಜನ್ನೇ ಕೊಡಲು ಶಕ್ತಿಯಿಲ್ಲದಿರುವಾಗ ಅಂಥ ಜನರ ಮೇಲೆ ಮತ್ತೆ ಈ ಹತ್ತು ಪರ್ಸೆಂಟ್ ತೆರಿಗೆ ಹೇರಿದರೆ ಇದರಿಂದ ಆ ಜನಗಳಿಗೆಲ್ಲ ತೊಂದರೆಯಯೆಗುವುದಿಲ್ಲವೇ ಎಂಬುದನ್ನು ಪರಿಶೀಲಿಸಬೇಕಾದ್ದು ಅತ್ಯಗತ್ಯ. ಹೀಗೆಲ್ಲಾ ಅನೇಕ ಎಡರುತೊಡರುಗಳು ಈ ಮಸೂದೆಯಲ್ಲಿರುವುದರಿಂದ ಇದನ್ನು ಅಷ್ಟು ಆತುರಾತುರದಲ್ಲಿ ಪಾಸ್ ಮಾಡತಕ್ಕದ್ದು ಒಳ್ಳೆಯದಲ್ಲವೆಂದು ನಾನು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಈ ಕಾರಣಗಳಿಗಾಗಿ ನಾನು ಈ ಮಸೂದೆಯನ್ನು ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಗೆ ಹಾಕಿದರೆ ಆ ಸಮಿತಿಯವರು ಒಂದು ಗಂಭೀರವಾದ ವಾತಾವರಣದಲ್ಲಿ ಕುಳಿತು ಈ ವಿಚಾರಗಳನ್ನೆಲ್ಲಾ ಪರಿಶೀಲನೆ ಮಾಡಿದರೆ ಆನಂತರ ಇದೊಂದು ಸೊಗಸಾದ ಕಾನೂನಾಗಬಹುದು. ಈ ವಿಚಾರದಲ್ಲಿ ಮುಂದೆ ಯಾರೂ ಹೈಕೋರ್ಟಿಗೆ ಹೋಗಬೇಕಾದ ಅವಕಾಶವಿರುವುದಿಲ್ಲ. ಈ ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯ ಸದಸ್ಯರು ಎಷ್ಟಿರಬೇಕೆಂಬ ತೀರ್ಮಾನವನ್ನು ನಾನು ಮಾನ್ಯ ಮಂತ್ರಿಗಳಿಗೇ ಬಿಟ್ಟಿದ್ದೇನೆ. ಅವರಿಗೆ ಈ ವಿಚಾರದಲ್ಲಿ ಸೂಕ್ತ ಕಂಡ ಬದಲಾವಣೆಗಳನ್ನು ಮಾಡಬಹುದು. ಮೇಲಾಗಿ ಈ ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯವರೂ ಸಹ ಅವರ ಒಂದು ವರದಿಯನ್ನು ಈ ಅಧಿವೇಶನದೊಳಗೇ ಕೊಡುವಂತೆ ಸೂಚಿಸಿರುತ್ತೇ. ಈ ಎಲ್ಲ ಕಾರಣಗಳಿಂದಲೂ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ತಿದ್ದುಪಡಿಯನ್ನೊಪ್ಪಿಕೊಳ್ಳುತ್ತಾರೆಂದು ನಂಬಿ ನನ್ನ ಈ ಎರಡು ಮಾತುಗಳನ್ನು ಹೇಳಿ ನನ್ನ ಭಾಷಣ ಮುಗಿಸುತ್ತೇನೆ.

Sri M. C. NARASIMHAN (Kolar Gold fields).—I would like to second the motion.

Mr. CHAIRMAN.—I think there is no need to second the motien.

Sri M. C. NARASIMHAN.—I have nothing to add to the arguments advanced by Sri Veerappa; but I only want to say this. Even simpler measures are being referred to select committee and the Honourable Minister being a very reasanable person, he will agree to it. On; principle we say that we concede the tax. He himself is not sure about the justification for the levy of 10 per cent. He is agreeable to some sort of compromise. That compromise can be effected at best in the Select Committee and not easily in this House. We can expand the list and include more members from the other side.

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ.—ಸ್ವಾಮಿ, ಈಗ ಮಾತನಾಡಿದ ಮಾನ್ಯ ಸದಸ್ಯರು ನಾವು ಈ ಬಿಲ್ಲನ್ನು ಆತುರಾತುರವಾಗಿ ಪಾಸ್ ಮಾಡುವುದು ಒಳ್ಳೆಯದಲ್ಲವೆಂತ ಏನೊಂದು ಮಾತನ್ನು ಹೇಳಿದ್ದಾರೋ ಅದು ಸರಿಯಾದ್ದಲ್ಲ. ಈ ಬಿಲ್ಲನ್ನು ಹಾಗೆ ಒಂದು ಆತುರಾತುರದಲ್ಲಿ ಪಾಸ್ ಮಾಡಿಸಿಕೊಳ್ಳಬೇಕೆಂಬ ಆ ಒಂದು ಆಸೆಯೇನೂ ನಮಗಿಲ್ಲ. ಸರ್ಕಾರದವರು ಈ ಬಿಲ್ಲನ್ನು ಪಬ್ಲಿಷ್ ಮಾಡಿಸಿದ್ದು 1959 ನೇ ಡಿಶೆಂಬರ್ 7 ನೇ ತಾರೀಖಿನಲ್ಲಿ. ಆ ದಿವಸವೇ

ಈ ಬಿಲ್ಲನ್ನು ಈ ಸಭೆಯ ಮುಂದಿಡಲಾಯಿತು. ಸರ್ಕಾರದವರು ಇಷ್ಟು ದಿವಸಗಳವರೆಗೂ ಕೆಲವ ಅನಿವಾರ್ಯಗಳಿಂದ ಇದನ್ನು ಪಾಸ್ ಮಾಡಿಸಿಕೊಳ್ಳಲು ಸಾಧ್ಯವಾಗದುದಕ್ಕಾಗಿ ಈಗ ಇದನ್ನು ತರಲಾಗಿದೆ. ಈ ಒಂದು ಅಂಶವೇ ಸಾಕು ನಾವು ಈ ಬಿಲ್ಲನ್ನು ಅವರು ಹೇಳಿದ ಹಾಗೆ ನಾವು ಆತುರಾತುರದಲ್ಲಿ ಪಾಸ್ ಮಾಡಿಸಿಕೊಳ್ಳುತ್ತಿಲ್ಲ ಎಂಬುದನ್ನು ಸೂಚಿಸುತ್ತಿದೆ. ಆದುದರಿಂದ ಈಗ ಮಾನ್ಯ ಸದಸ್ಯರು ಈ ವಾದವನ್ನೆತ್ತಲು ಅವಕಾಶವೇ ಇಲ್ಲ.

Sri Y. VEERAPPA.—In view of the assurance given by Hon'ble Minister, I am withdrawing the amendment.

The amendment was, by leave of the House withdrawn.

Mr. CHAIRMAN.—Clause 2. There is an amendment in the name of Sri B. R. Sunthankar: The Hon'ble Member is not present. There is an amendment in the name of the Minister.

Sri M. C. NARASIMHAN (K. G. F.).—On a point of order. I would like to know whether Governor's permission is not necessary for this.

Mr. CHAIRMAN.—I understand that permission has been obtained.

Sri H. M. CHANNABASAPPA.—Sir I beg to move:

"That sub-clause (5) shall be omitted."

Mr. CHAIRMAN.—The question is:

"That sub-clause (5) shall be omitted."

The amendment was adopted.

Sri V. SRINIVASA SHETTY (Coondapur).—Sir, I beg to move:

"That in item 10 the word "goods" shall be omitted."

Mr. CHAIRMAN.—The amendment is irregular. So, I wil put clause 2. The question is:

"That clause 2, as amended, stand part of the Bill".

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Mr. CHAIRMAN.—Clause 3. There is an amendment in the name of the Home Minister.

Sri H. M. CHANNABASAPPA.—Sir, I beg to move:

"That in paragraph (i) of sub-clause (1), the words 'except where such stage carriage plies exclusively within a municipal area or exclusively on such routes serving municipal and adjacent areas as may be appoved by the State Government 'shall be omitted."

Mr. CHAIRMAN.—Amendment moved.

"That in paragraph (i) of sub-clause (1), the words 'except where such stage carriage plies exclusively within a muncipal area or exclusively on such routes serving municipal and adjacent areas as may be approved by the State Government' shall be omitted."

Next amendment is in the name of Sri Srinivasa Shetty.

Sri V. SRINIVAS SHETTY (Coondapur).—I beg to move:

"That in item (i) of sub-clause (1) the words 'luggage and goods' shall be omitted."

Mr. CHAIRMAN.—Amendment moved.

"That in item (i) of sub-clause (1) the the words 'luggage and goods' shall be omitted."

Mr. CHAIRMAN.—Now, amendment by Sri Y. Veerappa.

Sri Y. VEERAPPA.—Sir I beg to move:

"That in item (i) of sub-clause (1) the word 'Passengers' shall be omitted."

Mr. CHAIRMAN.—Amendment moved.

"That in item (i) of sub-clause (1) the word 'Passengers' shall be omitted."

Sri G. VENKATAI GOWDA (Paliyam).—Sir, I beg to move:

"That for item (i) of sub-clause (1) the following item shall be substituted namely:

"On all passengers, luggage and goods carried by stage carriages and on all goods transported by public carrier vehicles at the rate of five naye paise in the rupee on the fares and freights, payble to the operators of such stage carriages and at the rate of three naye paise in the rupee on the freights payable to the opperators of such public carrier vehicles; provided that the fare charged by an operator inclusive of the tax leviable under this section shall not exceed the fares and freights that an operator was charging as on 31st March 1951 where such fare is less than the maximum fare prescribed by the Government:

Provided further that no tax shall be levied on any passenger, luggage or goods carried in a stage carrige the total permitted daily mileage of which does not exceed fifty miles."

Mr. CHAIRMAN.—Amendment moved.

"On all passengers, luggage and goods carried by stage carriages and on all goods transported by public carrier vehicles at the rate of five naye paise in the rupee on the fares and freights, payable to the oprators of such stage carriages and at the rate of three naye paise in the rupee on the freights payable to the operaters of such public carrier vehicles, privided that the fare charged by an operator snclusive of the tax leviable under this section shall not exceed the fares and freights that an operator was charging as on 31st March 1961 where such fare is less than the maximum fare prescribed by the Government:

Provided further that no tax shall be levied on any passenger, luggage or goods carried in a stage carriage, the total permitted daily mailege of which does not exceed fifty miles."

Sri G. VENKATAI GOWDA.—I beg to move:

"That Item (22) of sub-clause (1) shall be deleted retaining the explanation."

Mr CHAIRMAN:—Amendment moved.

"That item (22) of sub.clause (1) shall be deleted retaining the explanation."

Sri H. M. CHANNABASAPPA.—I beg to move:

After sub-clause (1), the following sub-clauses shall be inserted:

"(2) In the case of passengers, luggage and goods carried by stage carriages and goods vehicles in respect of which any receiprocal arrangement relating to taxation has been entered into between the Government of Mysore and any other State Government, the levy and payment of tax shall, northwithstanding anything contained in this Act, be in accordance with the terms and conditions of such reciprocal arrangement :

Provided that the tax leviab e and payable under any such arrangement shall not exceed the tax leviable and payable under this Act:

Provided further that the terms and conditions of every such reciprocal arrangement shall be published in the official gazette and a copy there of shall be laid before both Houses of the State Legislature.

(3) In the determination of the amount of tax leviable andpayableunder this Act, fraction of a naya paisa less than half naya paisa shall be disregarded and fraction of a naya paisa equal to or exceeding half a naya paisa shall be regarded as one naya paisa."

Mr. CHAIRMAN.—Amendment moved:

After sub-clause (1), the following sub-clauses shall be inserted:

"(2) In the case of passengers, luggage and goods carried by stage carriages and goods vehicles in respect of which any receiprocal arrangement relating to taxation has been entered into between the Government of Mysore and any other State Governments, the levy and payment of tax shall, northwith standing anything contained in this Act, be in accordance with the terms and conditions of such reciprocal Arrengement:

Provided that the tax leviable and payb.e under any such arran ge-ment shall not exceed the tax leviable and payable under thit Act.

Provided further that the terms and conditions of every such reciprocal arrangement shall be published in the official gazette and a copy thereof shall be laid before both Houses of the Stae Legislature.

(3) In the determination of the amount of tax leviable and payable under this Act, fraction of a naya paisa lessthan half naya paisa shall be disregarded and fraction of a naya paisa equal to or exceeding half anaya paisa shall be regarded as one naya paisa."

Sri V. SRINIVASA SHETTY.—I beg to move:

"After sub-clause 2 the following sub-clauses shall be added namely:

"3 (3) Power to exempt certain passengers from payment of tax:—The State Government may, by notification in the offiical Gazette exempt totally or partially from the payment of tax of passengers carried in stage carriages on such inter-state routes as may be specified in the notification or carried by stage carriages operating in furthernce of an educational, medical, philonthropic for other object."

"(4) Notwithstaning anything contained in this Bill, no tax shall be leviable in respect of passengers or goods carried by stage carriages or public carrier vehicles operated by a coöperative Society registered under the Mysore Co-operatives Act 1958.

Mr. CHAIRMAN.—Amendment moved:

"After sub-clause 2 the following sub-clauses shall be added, namely:

"3 (3) Power to exempt certain passengers from payment of tax:—The State Government may, by notification in the official Gazette exempt totally or partially from the payment of tax of passengers carried in stage carriages on such inter-state routes as may be specified in the notification or carried by stage carriages operating in furthernce of an educational, medical, philonthropic or other object."

"(4) Notwithstanding anything contained in this Bill, no tax shall be leviable in respect of passengers or goods carried by stage carriages or public carrier vehicles operated by a co-operative Society registered under the Mysore Co-operatives Act 1958."

Mr. CHAIRMAN.—Both the clause and the amendments are before the House for consideration.

†Sri H. M. CHANNABASAPPA.—Sir, I am now speaking on all the amendments moved by me. I made it clear at the commencement itself that it would not be desirable to exempt from taxation passengers plying in State carriages within municipal limits or there abouts. With that view. I have introduced an amendment and I hope Hon'ble Members will appreciate the reasoning behind it and accept it. The reason is that there is no special need to exempt a particular class of passengers travelling in a particular area. Moreover, the paying capacity of passengers within municipal limits is difinitely higher than the paying capacity of persons moving about in rural areas. Government have therefore come to the conclusion that it is not desirable to provide such exemption.

The second amendment is meant for administrative convenience. In cases of goods and passengers carried by stage carriages which play from State to State, where reciprocal arrangements exist by contract between to States, certain consequential arrangement will have to be made. This provision is intended to cover that lacunae. The amendment also provides that in calculations fraction of a nP. should be treated in a particular manner. If it is above half nP. it would rounded off to one nP. and if it is less than half nP. than it would be rounded off to the next lower figure. I hope the Hon'ble Members would agree to this amendment.

About the amendments moved by Hon'ble Members, I have examined them in great detail...

Sri M. C. Narasimhan.—It is customary for the Minister to hear the members speak on the amendments and then decide to accept or reject them.

Sri H. M. Channabasappa.—I have no objection to speak later after hearing the Members.

The House adjourned for recess at Ten of the Clock and ressembled at Thirty Minites past Ten of the Clock.

[Mr. Chairman (Sri Mohamed Ali) in the chair.]

Sri M. C. Narasimhan.—The Mysore rates are on a footing with Madras rates in the matter of motor vehicles tax. So in the case of the levy of this tax there is no justification for departing from the level of this tax in Madras. Since it is 5 per cent in Madras there is no valid reason why it should be higher than 5 per cent here.

As regards the defference between the rate of this tax on goods and on passengers, whereas it is 3 per cent in the case of goods it is of the order of 10 per cent in the case of passengers. I do not know why this distinction should be made. In Madras the proportion is 5 and 3 whereas it is 3 and 6 here. From that point of view there is no reason for raising it. Further the revenue from this tax also is not inconsiderable. The original estimate of revenue was Rs. 90 lakhs though in the budget estimate for 1960-61 the Finance Minister has put it at Rs. 50 lakhs. If they extend this to municipal areas, then the revenue is likely to yield 30 per cent more.

I may, in passing, submit one factor which has been mentioned in justification for this rate of tax. Every member who participated in the discussion referred to the expenditure on roads. Fven the Minister also referred to the expenditure on roads. The tatal expenditure on road development works and also maintenance and repairs of roads according to the budget estimates for 1961-62 comes to Rs. 9.14 Crores

(Sri M. C. NARASIMHAN)

As against this they get a Central grant to the tune of Rs. 3.52 crores in 1961-62 ; then the amount drawn from the sugar cane fund is Rs 2.50 crores. The balance net expenditure to be met out of the State revenue would be only of the order of Rs. 3.11 crores and as against that we intend to get from the motor vehicles tax Rs. 3.65 crores. You will thus see that even in 1961-62 there is going to be a net balance left. When there is going to be a net balance even under the existing leve of the tax, where is the justification for levying it at the rate of 10 per cent. Even if we take total plan expenditure it is not more then what was envisaged in the second plan.

There is one other point. I have also said that this levy should not be passed on to passengers. I consider that the rate charged for passenger tax as on 31st March 1961 is sufficiently high. A proof of that is the very fact that the Transport Minister was some time back forced, without reference to any particular motion on our part, to reduce the enhanced rate because he himself felt it unjust to levy it at a higher rate.

Sri K. F. PATIL.—A number of members had expressed their opinion on the floor of the House and there was even agitation in the public and that is why was reduced.

Sri M. C. NARASIMHAN.—If it is the argument that it was reduced in pursuance of representations made, then that must be seriously respected. That itself is further justification for saying that this tax itself should not be levied. What I say is that the rate to be charged should not be more than what was prevalent on 31st March 1961.

Then the other point is that if the total milage does not exceed 50 miles, then no levy should be made. There is a similar clause prevalent in the Madras Act. In the original Bill there was power to Government in any particular case to extend a concession and see that no tax was levied in respect of a particular milage. I am only putting it at 50 miles because I feel that limit will not seriously affect the operetors.

With these words I request the Hon'ble Minister to think over the matter and agree to the lower rate suggested by us.

ಶ್ರೀ ಟಿ. ಎಲ್. ನಾರಾಯಣಸ್ವಾಮಿ (ಮುಳಬಾಗಿಲು).— ಸ್ವಾಮಿ, ನಾನಾದರೂ ಈ ಬಿಲ್ಲಿನ ಮೇಲೆ ಮಾತನಾಡುವಾಗ ಈಗ ನಾವು ದೇಶದ ಪ್ರಗತಿಯನ್ನು ಸಾಧಿಸಲು ಹೊರಟಿರುವಾಗ ಎಲ್ಲದಕ್ಕೂ ತೆರಿಗೆಗಳನ್ನು ಹಾಕುವುದು ಸಾಧ್ಯವಾದುದಲ್ಲ ಎಂದು ಹೇಳುತ್ತೇನೆ. ಇದು ಮಾನ್ಯ ಮಂತ್ರಿಗಳಿಗೆ ತಿಳಿಯದೆ ಇರುವ ವಿಷಯವಲ್ಲ. ಈಗ ತಯಾರಾಗಿರುವ ಆಯವ್ಯಯ ಪಟ್ಟಿ ಪ್ರಕಾರ ಇಷ್ಟು ಹೆಚ್ಚು ತೆರಿಗೆಗಳನ್ನು ಹಾಕುವ ಪ್ರಮೇಯವಿಲ್ಲವೆಂದು ನಾನು ಹೇಳಬೇಕಾಗಿದೆ. ಈಗ ಒದಗಿಸಿರುವ ಬಜೆಟ್ಟಿನ ಅಂಕಿ ಅಂಶಗಳನ್ನು ನೋಡಿದರೆ ಬೇಕಾದಷ್ಟು ಉಳಿತಾಯವಾಗುವಂತಹ ಐಟಂಗಳು ಕಾಣುತ್ತಾ ಇವೆಯೇ ಹೊರತು ಹೆಚ್ಚು ಖರ್ಚಾಗತಕ್ಕ ಪ್ರಮೇಯವೇ ಕಾಣುವುದಿಲ್ಲ. ಈ ಆಯವ್ಯಯವನ್ನು ತಯಾರುಮಾಡುವ ಕಾರ್ಯದಲ್ಲಿ ಅರ್ಥಿಕ ಸಚಿವರು ಬಹಳ

ಬುದ್ಧಿವಂತಿಕೆಯನ್ನು ಉಪಯೋಗಿಸಿದ್ದಾರೆಂಬುದಾಗಿ ನಾನು ಹೇಳುತ್ತೇನೆ. ನಿಪುಣರು, ಪರಿಣತರು, ನಿಜವಾಗಿ ಒಪ್ಪಬೇಕು ಮತ್ತು ಮೆಚ್ಚಬೇಕು ಆ ರೀತಿಯಾಗಿ ತಯಾರುಮಾಡಿದ್ದಾರೆ. ಒಟ್ಟಿನಲ್ಲಿ ಉತ್ಪತ್ತಿಯನ್ನು ಕಡಮೆ ತೋರಿಸಿ ಖರ್ಚುಮಾಡುವುದನ್ನು ದೊಡ್ಡದ್ದಾಗಿ ತೋರಿಸತಕ್ಕ ಬುದ್ಧಿವಂತಿಕೆ ಅವರಲ್ಲಿ ಮೂಡಿದೆ ಎಂಬುದಾಗಿ ನಾನು ಹೇಳಬೇಕಾಗಿದೆ ಹಿಂದಿನವರ್ಷದ ಆಯುವ್ಯಯದಲ್ಲಿ ತೆರಿಗೆಗಳ ಒಟ್ಟು ವರಮಾನ ಕೇವಲ 14 ಕೋಟಿ ರೂಪಾಯಿಗಳು ಎಂದು ತೋರಿಸಿದ್ದರು. ಈ ವರ್ಷ ಏತಕ್ಕೆ ಆ ಬಾಬನ್ನು ತೋರಿಸಿಲಿಲ್ಲವೆಂದು ನಾನು ಪ್ರಶ್ನೆಮಾಡುತ್ತೇನೆ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ನಾನು ಒಂದು ಮಾತನ್ನು ಹೇಳಬೇಕಾಗಿದೆ. ಈ ವರ್ಷ ನಿರೀಕ್ಷಣೆಮಾಡಿದ ಪ್ರಕಾರ ಬಡ್ಜೆಟ್ಟಿನಲ್ಲಿ ಒದಗಿಸಲಾಗಿದ್ದ ಹಣವನ್ನು ಪೂರ್ತಿ ಖರ್ಚುಮಾಡುವುದಕ್ಕೆ ಸಾಧ್ಯವಾಗಲಿಲ್ಲ. ಸ್ವಲ್ಪ ಸ್ವಲ್ಪ ಉಳಿತಾಯವಾಗುತ್ತಿದೆ ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಈಗ ಈ ಮಸೂದೆಯನ್ನು ತಂದಿರುವುದನ್ನು ನೋಡಿದರೆ ನಿಜವಾಗಿ ಈ ವಿಷಯದಲ್ಲಿ ಸರ್ಕಾರಕ್ಕೆ ಅಷ್ಟೇನೂ ಆಸಕ್ತಿ ಇಲ್ಲವೆಂದು ಚೆನ್ನಾಗಿ ಗೊತ್ತಾಗುತ್ತದೆ. ಎರಡನೆಯ ಪಾಂಚವಾರ್ಷಿಕ ಯೋಜನೆಯ ಪೂರೈಕೆಗಾಗಿ ಹಣಬೇಕು ಎಂದು 1959 ನೇ ಡಿಸೆಂಬರ್‌ನಲ್ಲಿ ಒಂದು ಬಿಲ್ಲನ್ನು ತಂದಿರುವವರು ಈಗ ದ್ವಿತೀಯ ಪಾಂಚವಾರ್ಷಿಕ ಯೋಜನೆ ಪೂರೈಸಿದರು ಇನ್ನೂ ಈ ಗೋಜಿಗೆ ಹೋಗದೆ ಈ ಮಧ್ಯೆ ಅದನ್ನು ತಂದಿದ್ದಾರೆ. ಇದು ಶಾಸನವಾಗಿ ಬರುವಷ್ಟು ಹಣಬರಲಿ, ಹಣವನ್ನು ಶೇಖರಿಸಿಡೋಣವೆಂದು ಈರೀತಿ ಮಾಡಿದ್ದಾರೆಂದು ನನಗೆನ್ನಿಸುತ್ತದೆ. ಇದರಿಂದ ಇವರು ನಿರೀಕ್ಷಿಸಿದ ಪ್ರಕಾರ ಶೇ. 90 ರಷ್ಟು ಉತ್ಪತ್ತಿ ಬರುತ್ತದೆ. ನನ್ನ ನಿರೀಕ್ಷಣೆ ಇದರಿಂದ ಎರಡು ಕೋಟಿರೂಪಾಯಿಗಳು ಬರುತ್ತದೆಂದು ಹೇಳುತ್ತೇನೆ. ಈ ರೀತಿ ಹೊಸ ತೆರಿಗೆಯನ್ನು ವಿಧಿಸಿರುವುದರಿಂದ ಯಾರ್ಯಾರ ಮೇಲೆ ಸತ್ಪರಿಣಾಮವಾಗುತ್ತದೆ ಮತ್ತು ಯಾರ್ಯಾರ ಮೇಲೆ ದುಷ್ಪರಿಣಾಮವಾಗುತ್ತದೆ ಎಂದು ಹೇಳುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ. ಸರ್ಕಾರದವರು ಒಂದು ವೇಳೆ ಪ್ರಯಾಣಿಕರ ಪ್ರಯಾಣಗಳು ಈಚೆಗೆ ಜಾಸ್ತಿಯಾಗುತ್ತಿವೆ. ಅವನ್ನು ತಡೆಗಟ್ಟುವುದಕ್ಕೋಸ್ಕರ ಈ ರೀತಿ ಒಂದು ಹೊಸ ತೆರಿಗೆಯನ್ನು ವಿಧಿಸಲಾಗಿದೆ ಎಂದು ಹೇಳಿದರೆ ಅದನ್ನು ನಾನು ಒಪ್ಪುತ್ತೇನೆ. it is indirectly discouraging the Public Traffic.

ಯಾರ್ಯಾರು ಬಸ್ಸುಗಳನ್ನು ಇಟ್ಟುಕೊಂಡು ಆ ಒಂದು ಉದ್ಯಮದಿಂದ ಉತ್ತಮ ಜೀವನ ಮಾಡುತ್ತಾರೋ ಅಂತಹವರನ್ನೂ ಸಹ ಡಿಸ್‌ಕರೇಜ್‌ಮಾಡಿ ನ್ಯಾಷನಲೈಜ್ ಮಾಡುವುದಕ್ಕೆ ಇದು ಒಂದು ಮಾರ್ಗ ಎಂದು ಸರ್ಕಾರ ಹೇಳಿದರೆ ಅದನ್ನು ಒಪ್ಪಬಹುದು. ಏನೋ ನಮ್ಮ ಪಾಂಚವಾರ್ಷಿಕ ಯೋಜನೆಯ ಕೆಲಸ ಕಾರ್ಯಗಳ ಪೂರೈಕೆಗಾಗಿ ಈ ಹಣವನ್ನು ಖರ್ಚುಮಾಡುತ್ತೇವೆಂದು ಹೇಳತಕ್ಕ ಸರ್ಕಾರದ ನೀತಿ ಸರಿಯಾದುದಲ್ಲವೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ.

ಸ್ವಾಮಿ, ಈಗ ಸರ್ಕಾರದವರು ಹಾಕಿರುವ ತೆರಿಗೆಗಳನ್ನು ನೋಡಿದರೆ ಪ್ರತಿಯೊಬ್ಬ ಪ್ರಯಾಣಿಕನಿಗೂ ಈಗಾಗಲೇ ತೆರಿಗೆ ಹೊರೆ ಜಾಸ್ತಿಯಾಗಿದೆ. ಸರ್ಕಾರದವರು ಇದನ್ನು ರಾಷ್ಟ್ರೀಕರಣ ದೃಷ್ಟಿಯಿಂದ ಈ ರೀತಿ ಮಾಡಿದ್ದೇವೆಂದು ಹೇಳುತ್ತಾರೆ. ನಾನು ಹೇಳುವುದಿಷ್ಟೆ. ಬೇಕಾದಷ್ಟು ತೆರಿಗೆಗಳನ್ನು ಈಗಾಗಲೇ ವಿಧಿಸಿದ್ದರೆ. ಈಗ ಈ ಹೊಸತೆರಿಗೆಯನ್ನು ಬೇರೆ ಹಾಕಿದರೆ ಬಡ ಬಗ್ಗರಿಗೆ ಪ್ರಯಾಣಮಾಡುವುದಕ್ಕೆ ಬಹಳ ಕಷ್ಟವಾಗುತ್ತದೆ. ಯಾವ ರೀತಿಯಲ್ಲೂ ಪ್ರಯಾಣಿಕರಿಗೆ ಪ್ರಯಾಣಮಾಡುವುದಕ್ಕೆ ಕುಂದಕಮಾಡುವಂತಹ ಪರಿಸ್ಥಿತಿ ಸರ್ಕಾರದಿಂದ ಆಗಬಾರದು. ಎರಡನೆಯದಾಗಿ ವ್ಯವಸಾಯಗಾರರಿಗೆ ಇದರಿಂದ ಬಹಳ ಪೆಟ್ಟು ಆಗುತ್ತದೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. ಹೇಗೆಂದರೆ ರೈತ ತಾನು ಬೆಳೆದಂತಹ ಎಲ್ಲ ಪದಾರ್ಥಗಳನ್ನು ಮಾರುಕಟ್ಟೆಗಳಿಗೆ ತಂದು ಮಾರುತ್ತಾನೆ. ಅವನ್ನೆಲ್ಲಾ ಬಸ್‌ನಲ್ಲೋ ಅಥವಾ ಲಾರಿಗಳಲ್ಲೋ ಅಥವಾ ಯಾವುದಾದರೂ ಒಂದು ಟ್ರಾನ್ಸ್‌ಪೋರ್ಟ್ ಮುಖಾಂತರ ಆ ಪದಾರ್ಥಗಳನ್ನು ಮಾರುಕಟ್ಟೆಗಳಿಗೆ ಸಾಗಿಸಬೇಕಾಗು

(ಶ್ರೀ ಟಿ. ಎಲ್. ನಾರಾಯಣ ಸ್ವಾಮಿ)

ತ್ತದೆ. ಈ ಪ್ರಕಾರ ಆಗ ತೆರಿಗೆಗಳ ಹೊರೆ ಅವನಿಗೆ ಜಾಸ್ತಿಯಾಗುತ್ತದೆ. ಇದರಿಂದಾಗಿ ಅವನು ಪ್ರಯಾಣಮಾಡುವುದು ಬಹಳ ಕಷ್ಟವಾಗುತ್ತದೆ. ಅವನಿಗೆ ಅನುಕೂಲತೆಗಳು ಅಷ್ಟಾಗಿ ಇಲ್ಲ. ಅನೇಕ ಪದಾರ್ಥಗಳು ಮದ್ರಾಸ್ ಮತ್ತು ಬೊಂಬಾಯಿ ಮತ್ತು ಇತರಕಡೆಗಳಿಂದ ಬೆಂಗಳೂರಿಗೆ ಬರುತ್ತವೆ. ಇದರಿಂದ ಏನಾಗುತ್ತದೆಂದರೆ ರೈತ ತಾನು ಬೆಳೆದಂತಹ ಪದಾರ್ಥಗಳನ್ನು ವಾಹನ ತೆರಿಗೆ ಜಾಸ್ತಿ ಇದೆಯೆಂದು ತಿಳಿದು ಕಡಿಮೆ ಪ್ರಮಾಣದಲ್ಲಿ ಬೆಳೆದು ಮಾರುಕಟ್ಟೆಗೆ ತರುತ್ತಾನೆ. ಕೆಲವು ವೇಳೆ ಅನೇಕ ಪದಾರ್ಥಗಳನ್ನು ಬೆಳೆಯತಕ್ಕ ಆಸಕ್ತಿಯನ್ನೇ ಅವನು ಬಿಡಬೇಕಾಗುತ್ತದೆ. ಇದರಿಂದ ದೇಶದಲ್ಲಿ ಆಹಾರ ಪದಾರ್ಥಗಳು ಕಡಮೆ ಪ್ರಮಾಣದಲ್ಲಿ ದೊರೆಯುತ್ತವೆ. ರೈತನ ಉತ್ಪತ್ತಿಯು ಕಡಮೆಯಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಸರ್ಕಾರದವರು ಈ ಹೊಸ ತೆರಿಗೆಯನ್ನು ಏಕೆ ಹಾಕುತ್ತಾರೋ ನನಗೆ ಅರ್ಥವಾಗಲಿಲ್ಲ. ಇಷ್ಟೇ ಅಲ್ಲದೆ ಆ ಪದಾರ್ಥಗಳನ್ನು ಕೊಂಡು ತಿನ್ನುವವರಿಗೂ ಅಷ್ಟೇ ತೊಂದರೆಯಾಗುತ್ತದೆ. ತೆರಿಗೆಗಳು ಜಾಸ್ತಿಯಾದರೆ ತಿನ್ನುವವರ ಪರಿಸ್ಥಿತಿಯೂ ಬಹಳ ಕಷ್ಟವಾಗುತ್ತದೆ. ಇದನ್ನು ಸರ್ಕಾರದವರು ಯೋಚನೆಮಾಡಬೇಕಾಗಿದೆ. ಈಗಾಗಲೇ ಸಂಬಳ ಸಾರಿಗೆ ಜಾಸ್ತಿಯಾಗಿದೆ ಎಂದು ಸರ್ಕಾರ ಹೇಳುತ್ತಿದ್ದರೂ ಅದು ಯಾರಿಗೂ ತೃಪ್ತಿಕರವಾಗಿಲ್ಲ. ಇದರಿಂದ ಏನು ಗೊತ್ತಾಗುತ್ತದೆಂದರೆ ಸರ್ಕಾರದವರು ಒಂದು ಕೈಯಿಂದ ಸಹಾಯಮಾಡಿ ಮತ್ತೊಂದು ಕೈಯಿಂದ ಕಿತ್ತುಕೊಳ್ಳುತ್ತಾರೆಂಬ ಒಂದು ದೊಡ್ಡ ದೋಷಕ್ಕೆ ನಿಜವಾಗಿಯೂ ಕಾರಣರಾಗುತ್ತಾರೆ.

11-00 A.M.

ಈಗ ನಮಗೆ ಆಂಧ್ರದಿಂದ, ಆಹಾರ ಪದಾರ್ಥಗಳಲ್ಲಿ ಮುಖ್ಯವಾಗಿ ಅಕ್ಕಿ ಬೇಕು. ಅವರು ರೈಲ್ವೆ ವ್ಯಾಗನ್ ಕೊಡುತ್ತಾ ಇಲ್ಲ. ಮೈಸೂರು ಸರ್ಕಾರದವರು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಅಪ್ಪಣೆ ಪಡೆದಿದ್ದರೂ ಕೂಡ, ಆಂಧ್ರ ಸರ್ಕಾರದವರು ಒಂದು ವ್ಯಾಗಿನ್ ಅಲಾಟ್ ಮಾಡುತ್ತಾ ಇಲ್ಲ. ಆದ್ದರಿಂದ ಬರತಕ್ಕ ಅಕ್ಕಿ ಕೂಡ ಲಾರಿ ಮುಖಾಂತರ ಬರಬೇಕಾಗಿದೆ. ನೀವು ಈ ಟ್ಯಾಕ್ಸ್ ಹಾಕಿದರೆ, ಲಾರಿ ಚಾರ್ಜು ಜಾಸ್ತಿಯಾಗುತ್ತದೆ, ಅದರ ದುಷ್ಪರಿಣಾಮ ಕೊಳ್ಳುವವರ ಮೇಲೆ ಬೀಳುತ್ತವೆ. ನೀವು ಜನರ ಹಿತವನ್ನು ಈಡೇರಿಸುವುದಾದರೆ ಈ ತೆರಿಗೆಯನ್ನು ಹಾಕಬಾರದು.

ಎರಡನೆಯದಾಗಿ ರೈತರಿಗೆ ಅತ್ಯಗತ್ಯವಾಗಿ ಬೇಕಾದ ಫರ್ಟಿಲೈಜರು, ಮತ್ತು ಅಗ್ರಿಕಲ್ಚರಲ್ ಇಂಪ್ಲಿಮೇಂಟ್ಸು ಮುಂತಾದುವು ಕೂಡ ಲಾರಿಗಳಲ್ಲಿ ಬರುತ್ತಿವೆ. ಈ ತೆರಿಗೆಯನ್ನು ಜಾಸ್ತಿ ಮಾಡುತ್ತಾ ಹೋದರೆ, ರೈತರಿಗೆ ಎಷ್ಟು ವಿಧವಾಗಿ ತೆರಿಗೆ ಜಾಸ್ತಿಯಾಗುತ್ತಿದೆ ಎನ್ನುವುದನ್ನು ನೀವು ಯೋಚನೆ ಮಾಡಬೇಕು. ಈ ತೆರಿಗೆಯಿಂದ ಏನು ಕಷ್ಟವಾಗುತ್ತದೆನ್ನುವುದಕ್ಕೆ ಒಂದು ಉದಾಹರಣೆ ಕೊಡುತ್ತೇವೆ. ಸೆಕ್ಷನ್ 14ರ ಪ್ರಕಾರ ಕಾಂಪೌಂಡ್ ಮಾಡಿಕೊಳ್ಳಬಹುದು. ಕಾಂಫೆಸಿಷನ್ ಫೀ ಒಂದು ಸೀಟಿಗೆ ಒಂದು ತಿಂಗಳಿಗೆ 7½ ರೂಪಾಯಿ ಎಂದಿದೆ. ಸಾಮಾನ್ಯವಾಗಿ ಈವಾಗ ಸ್ಟೇಟ್‌ಕ್ಯಾರೇಜುಗಳಲ್ಲಿ 40 ಸೀಟಿಗೆ ಕಡಿಮೆ ಇರುವುದಿಲ್ಲ. 40ಕ್ಕೆ ಮೇಲ್ಪಟ್ಟೇ ಇರುತ್ತದೆ. ಆದ್ದರಿಂದ ಸರಾಸರಿ 40 ಸೀಟೆಂದು ಲೆಕ್ಕ ಹಾಕಿದರೆ, ವರ್ಷಕ್ಕೆ ಒಂದು ಬಸ್ಸಿಗೆ 3,600 ರೂಪಾಯಿ ಜಾಸ್ತಿಯಾಗುತ್ತದೆ. ಒಂದುಕ್ವಾರ್ಟರಿಗೆ ಒಂದು ಸೀಟಿಗೆ 30 ರೂಪಾಯಿನಂತೆ, 1,200 ರೂಪಾಯಿಯಾಗುತ್ತದೆ. ; 4 ಕ್ವಾರ್ಟರಿಗೆ 4,800 ರೂಪಾಯಿಯಾಗುತ್ತದೆ. ಎಂದರೆ ಈಗಿರತಕ್ಕಂಥ ಟ್ಯಾಕ್ಸಿಗಿಂತ 75 ರಷ್ಟು ಭಾಗ ಜಾಸ್ತಿ ಮಾಡಿದಹಾಗಾಗುತ್ತದೆ. ಆದರೂ ನೀವು ಹೇಳುವುದು 10 ಪರ್ಸೆಂಟ್ ಮಾತ್ರ ಜಾಸ್ತಿ ಮಾಡುತ್ತೇವೆಂದು. ಇದರಲ್ಲಿ ಇನ್ನೊಂದು ಕಷ್ಟವಿದೆ : ಆಪರೇಟರ್ ಲೆಕ್ಕವಿಡಬೇಕು ಮತ್ತು ಅದನ್ನ ನಿಮ್ಮ ಸಿಬ್ಬಂದಿ ಪರಿಶೀಲನೆ ಮಾಡಬೇಕು. ಇದೆಲ್ಲಾ ಎಲ್ಲಿ ಪೀಡೆ ಎಂದು, ವಿಧಿ ಇಲ್ಲದೆ ಅವರುಗಳು ಕಾಂಪ್ರೊಸಿಶನ್ನಿಗೆ ಒಪ್ಪಿಕೊಳ್ಳಲೇ ಬೇಕು. ಒಂದೊಂದು ಬಸ್ಸಿಗೆ ಶೇಕಡ 75 ರಷ್ಟು ಜಾಸ್ತಿಯಾಗುತ್ತದೆ. ಇದರಿಂದ ನಿಜವಾಗಿ ಪ್ರಜೆಗಳಿಗೆ ಮಾತ್ರವಲ್ಲದೆ, ಆಪರೇಟರುಗಳಿಗೂ

ಕಷ್ಟವಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಈ ಒಂದು ವಿಧಾನವನ್ನೇ ಬಿಟ್ಟುಬಿಡಬೇಕೆಂದು ಅರಿಕೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

ಈ ವಿಷಯದ ಮೇಲೆ ಮಾತನಾಡುತ್ತ, ನಮ್ಮ ವಿರೋಧಪಕ್ಷದವರು ಏಕೋ ಅನುಚಿತವಾಗಿ ಎಲೆಕ್ಷನ್ ಮಾತನ್ನೆತ್ತಿದರು, ನಮ್ಮ ವಿರೋಧಪಕ್ಷದ ಸದಸ್ಯರೇ ಅಲ್ಲದೆ, ಮಾನ್ಯ ಮಂತ್ರಿಗಳೂ ಕೂಡ ಎಲೆಕ್ಷನ್ ವಿಚಾರ ಎತ್ತಿದರು. ಅದು ಬಹಳ ಅನುಚಿತವಾದ ಪ್ರಸಂಗ. ವಿರೋಧಪಕ್ಷದವರು ಯಾವಾಗಲೂ ಪ್ರಜೆಗಳ ಕಷ್ಟಸುಖಗಳನ್ನು ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ತಮ್ಮ ಅಭಿಪ್ರಾಯಗಳನ್ನು ತಿಳಿಸುತ್ತಾ ಇರುತ್ತಾರೆ ಆದರೂ ಕೂಡ ಆಡಳಿತ ಪಕ್ಷದವರು ಈ ಟ್ಯಾಕ್ಸೇಶನ್ ಹಾಕಿಯೂ ತಾವು ದೇಶದ ಜನರಲ್ಲಿ ಹೋಗಿ ಓಟು ಕೇಳತಕ್ಕಂಥ ಧೈರ್ಯ ಎದೆಗಾರಿಕೆ ತಮ್ಮಲ್ಲಿದೆಯೆಂದು ಹೇಳುತ್ತಲೇ ಇದ್ದಾರೆ. ಅದು ತಪ್ಪು. ಪ್ರಜೆಗಳು ಅಸಹಾಯರಾಗುವ ಪರಿಸ್ಥಿತಿ ಇದು ಬಂದು ನಾವು ಹೇಳುತ್ತಿದ್ದೇವೆ. ಇದೇ ನೀತಿ ಮುಂದುವರೆದಲ್ಲಿ ದೇಶದಲ್ಲಿ ಕ್ರಾಂತಿಯಾದೀತು. ಇದನ್ನು ಸರ್ಕಾರದವರು ಗಮನದಲ್ಲಿಡಬೇಕು.

† Sri G. VENKATAI GOWDA.—Sir, my friend Sri Narasimhan has already advanced arguments in favour of the amendments that I have moved.

Mr. CHAIRMAN.—He need not repeat them.

Sri G. VENKATAI GOWDA.—There is every justification for reducing the rate from 10% to 5% because there are more avenues to augment this revenue. The Minister claims that so many thousands of miles of roads have been formed, especially rural communication roads and there is necessity for increasing the transport facilities in those parts. Naturally we have got to increase the number of permits as a result of which under the Motor Vehicles Taxation Act more revenue could be derived. Therefore I suggest it is essential to reduce this levy from 10% to 5%.

As regards clause 3, levy of tax on passengers and goods, my submission is that the provisions of sub-clause (1) and sub-clause (2) could be incorporated in sub-clause (1) itself. So my amendment is very simple to delete sub-clause (2) and incorporate the same in sub-clause (1) so as to be consistent with the title of clause 3.

† Sri Y. VEERAPPA.—I rise to support the amendment. We have executed two five-year plans successfully and by this time the *per capita* taxation here is on a par with Madras at Rs. 16.62. Now if the proposed tax is levied in addition, the *per capita* tax here will be more. So this tax on passengers should be completely eliminated from the statute book, but the Minister is trying to convince Hon'ble Members that people are in a position to pay the tax. I am sorry I am not in agreement with him there. The Madras Government is levying a much lower tax than Mysore and so my submission is that this amendment may be accepted by Government.

† Sri V. SRINIVASA SHETTY.—I have got only two things to say. My friend the Home Minister is placing this Bill on the model of the Madras and the Bombay Acts. In Bombay when the Bill was passed into law in 1958 most of the road transport had been nationalised and

(Sri V. SRINIVASA SHETTY)

yet they restricted the tax to passengers only and they left goods completely out of the Act. It is now well known that in South India we are short of railways and we depend practically entirely on road transport for transport of our goods. So I would request the Minister to consider this and see whether he cannot at least give some temporary relief to the owners of transport vehicles to encourage the development of transport of goods in our area.

That is my first amendment.

The next one is, in clause 3, I have suggested two things; it is not anything new at all. These are all taken from the Bombay ill-section 2.

MR. CHAIRMAN.—The House was pleased to extend the time by 2 hours. To carry on further business relating to the Bill, it is necessary to extend the time. As pointed out by the Home Minister, amendments relating to clause 14 are important to some extent. Therefore, half an hour would be enough, I think. I shall put it to the House.

Sri V. SRINIVASA SHETTY.—Sir, it is practically an innocuous amendment that I have moved. For philosophic things, the Bombay Act has given exemption. My amendment may not hit the revenues of the Government so much so as to endanger our future road programmes. The other point is, Co-operation is the be all and end all of our friends on the other side. When there are certain co-operative ventures with regard to road transport are coming up, relief should be given to them. I request the Government to consider this aspect of the case and accept this amendment. I commend the amendment for the consideration of the House.

† Sri H. M. CHANNABASAPPA.—Sir, I have heard the arguments advanced by Sri Srinivasa Shetty, Sri Narasimhan and Sri Venkata Gowda with rapt attention. The only point that was made out for reducing the rate from 10 per cent to 5 per cent is, that we have to fall in line with Madras. I feel that it is not a valid argument. Let us not be guided by Madras or Bombay; let us guided by reason. Bombay has now proposed to raise it to 20 per cent. Why not we do it ? So, though it may one of the reasons look this side or that side and be guided by them, it is not the only way to judge our views. Sir, 10 per cent is very reasonable when compared with Bombay, Madras, Andhra Pradesh, Bihar and Kerala. It is not going to be unreasonable also. Though I have more respect for the opinions expressed by Honb'le Members, but from the point of view of resources of the country, we should be as reasonable as possible and at the same time get maximum amount of resources required for the developmental activities. Therefore, I feel unable to accept the amendment proposing a reduction in the rate of the taxation.

The second point made out by Sri Narasimhan is that in Kolar Gold Fields and in Mysore, the operators are very few and this would affect them and discourage them. That is not correct because the taxation is on the passengers and not on the operators. They do not pay; they only collect it from the passenger and pay to Government.

Sri G. VENKATAI GOWDA.—You can have it as 10 per cent in urban area and 5 per cent in rural area.

Sri H. M. CHANNABASAPPA.—It would not be correct to discriminate. Sir, Sri Srinivasa Shetty said that co-operative institutions are running lorries and buses and some educational institutions are also doing this and they should be exempted. He seems to forget that these institutions do not stand to gain by getting the exemption because, as I already said, it is not the operator that pays this tax. Also they need not compound. Therefore if any exemption is given to any institution, it is a loss to the State and it is not going to benfit the co-operative or educational institutions concerned in as much as the tax payable is to be collected from the passengers or owners of goods transported, and not the operator.

Sri V. SRINIVASA SHETTY.—The Bombay Government have given such an exemption.

Sri H. M. CHANNABASAPPA.—Probably by experience they found it necessary or to plug some loophole.

Sri M. C. NARASIMHAN.—Our wisdom is much more than theirs !

Sri H. M. CHANNABASSAPPA.—I would not have liked to say that in so many words. That is probably true (laughter).

Sri G. VENKATAI GOWDA.—Sometimes co-operative societies transport goods from one depot to another. Who is to pay ? Suppose the owner of the goods is the State Marketing Society and the Taluk Marketing Society. Who is to pay ?

Sri H. M. CHANNABASAPPA.—It is clear that whoever is the owner of the goods will have to pay. Such cases may occur but we cannot help it.

Coming to the other point made out by Sri Venkatai Gowda that Sub-clause 2 may be incorporated in clause 1 itself, as according to him, that would minimise complications and read well as a good piece of legislation. I am afraid he has not applied his mind properly. Sub-clause 1 provides for taxation on passengers. Sri Gowda's proposal is that the taxation on goods may also be incorporated there. I would ask him to read the proviso which applies only to passengers. In order to be a good piece of legislation we have only included passenger taxation in sub-clause 1 and added a proviso which applies to it. This proviso does not apply to goods vehicles.

(Sri H. M. CHANNABASAPPA)

The other point made by Sri M. C. Narasimhan is that we should accept 5 per cent subject to the total fare, inclding the taxation should not be more than the maximum prescribed. That wo uld not be correct. Government cannot prescribe it because the Madras High Court has already ruled that it would be illegal to enact a legislation of that kind and I would draw the attention of the Hon'ble Members to the judgement of the High Court of Madras.

I hope I have answered all the points made out and though I do appreciate the amendments, I am afraid I cannot accept them for reasons already stated.

Mr. CHAIRMAN.—The question is :

"That in paragraph (i) of sub-clause (1), the words "except where such stage carriage plies exclusively within a municipal area or exclusively on such routes serving municipal and adjacent areas as may be approved by the State Government" shall be omitted."

The amendment was adopted.

Sri V. SRINIVASA SHETTY.—I would like to withdraw the amendment.

The amendment was, by leave of the House, withdrawn.

Mr. CHAIRMAN.—I will put Sri Veerappa's amendment to vote.

The question is :

"That in item (i) of sub-clause the word "Passengers" shall be omitted. In the Bill wherever there are references to taxation on passengers, maintance of accounts, froms etc., they shall be deleted."

The amdment was negatived

Mr. CHAIRMAN.—I will put Sri Narasimhan's amendment to vote. The question is :

"For item (i) of sub-clause (1), the following item shall be substituted namely:—

"On all passengers, luggage and goods carried by stage carriages and on all goods transported by public carrier vehicles at the rate of Five Naye Paise in the rupee on the fares and freights, payable to the operators of such stage carriages and at the rate of three Naye paise in the rupee on the freights payable to the operators of such public carrier vehicles ; provided that the fare charged by an operator

inclusive of the tax leviable under this section shall not exceed the fares and freights that an operator was charging as on 31st March 1961 where such fare is less than the maximum fare prescribed by the Government.

Provided further that no tax shall be levied on any passenger luggage or goods carried in a stage carriage, the total permitted daily mileage of which does not exceed fifty miles".

The amendment was negatived.

Sri G. VENKATAI GOWDA.—I prefer to withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Mr. CHAIRMAN.—The question is :

That after sub-clause (2), the following sub-clause shall be added, namely :—

"(3) In the case of passengers, luggage and goods carried by stage carriages and goods vehicles in respect of which any reciprocal arrangement relating to taxation has been entered into between the Government of Mysore and any other State Government, the levy of tax shall, notwithstanding anything contained in this Act, be in accordance with the terms and conditions of such reciprocal arrangement :

Provided that the tax leviable under any such arrangement shall not exceed the tax leviable under this Act :

Provided further that the terms and conditions of every such reciprocal arrangement shall be published in the official Gazette and a copy thereof shall be laid before both the Houses of the State Legislature".

(3) In the determination of the amount of tax leviable and payable under this Act, fraction of a naye paise than half naye paise shall be disregarded and fraction of a naya paisa equal to or exceeding half a naya paisa shall be regarded as one naya paisa".

The amendment was adopted

Mr. CHAIRMAN.—The question is :

4. That in sub-clause (2) the word "goods" shall be omitted.

5. After sub-clause 2, the following sub-clauses shall be added, namely :

"3(3). Power to exempt certain passengers from payment of tax:— The State Government may, by notification in the official Gazette exempt totally or partially from the payment of tax of passengers carried in stage carriages on such inter-state routes as may be specified in the notification or carried by stage carriages operating in furtherance of an educational, medical, philonthropic or other object".

(Mr. CHAIRMAN)

"(4). Notwithstanding anything contained in this Bill, no tax shall be leviable in respect of passengers or goods carried by stage carriages or public caririer vehicles operated by a co-operative Society registered under the Mysore Co-operatives Act 1958".

The amdent was negatived.

Mr. CHAIRMAN.—The question is:

"That Clause 3 as amended stand part of the Bill."

The motion was adopted.

Clause 3 as amended was added to the Bill.

Clauses 4, 5 and 6.

Mr. CHAIRMAN.—There are no amendments to clauses 4, 5 and 6. I will put them to vote.

Mr. CHAIRMAN.—The question is:

"That clauses 4, 5 and 6 stand part of the Bill.

The motion was adopted.

Clauses 4, 5 and 6 were added to the Bill.

Clause 7.

Mr. CHAIRMAN.—There is an amendment by Sri G. Venktai Gowda.

Sri G. VENKTAI GOWDA.—Sir, I beg to move the amendment to clause 7 which is as follows ;

" That in clause 7 for the words 3 years, the words one year may be substituted."

Mr. CHAIRMAN.—Amendment moved :

" That in clause 7 for the words " three years " the word " one year may be substituted."

†Sri VENKATAI GOWDA.—Sir, this is a very simple amendment. In clause 7 there is a time of three years contemplated in order to recover the tax. I want that period to be reduced to one year. I am of opinion that the officers can easily dispose of such cases within one year. I also say it is in par with the Madras Act where they also give one year's time, for recovery. It is therefore justifiable that one year's time provided instead of three years. It is a very simple amendment and it does not affect the Bill materially.

Sri Y. VEERAPPA.—I also think that there will be more scope for harassment to operators and in view of that, it is better to reduce the period from three years to one year, I think the Hon'ble Minister will accept this amendment.

Sri M. C. NARASIMHAN.—Sir, clause 20 of the Bill which is also corresponding to clause 7. also contains a provision for one year. One year's limitation is provided. Why should it be different here in this clause Sir. I think the Minister will agree to this.

†Sri H. M. CHANNABASAPPA.—There is much to say on both sides and there is as much argument to put forward in favour of three years as there is for one year. It is always best in public interest that we err always on the right side than on the wrong side. I fail to understand the reason behind the suggestion to restrict the time limit to one year in order to secure the escaping tax. There are no valid reasons advanced by the Hon'ble Member who moved the amendment who it should be reduced to one year, except saying that it will involve harassment.

Sri G. VENKATAI GOWDA.—It also helps expeditious disposal.

Sri H. M. CHANNABASAPPA.—Supposing there is a case of escape of assessment. I see no reason why we should not take action with in a period of three years. There is no particular sanctity attached to one year. You may also ask what is the sanctity attached to three years ? Why not it be four years ? It is a question of opinion. Taking into consideration past experience we have in respect of various measures, we have come to the conclusion that three years is a reasonable period. After all, it is not going to materially affect anybody.

Sri G. VENKTAI GOWDA.—In Madras it is one year.

Sri H. M. CHANNABASAPPA.—Why should we borrow everything from Madras? After we prescribe three years, Madras may copy it and move an amendment to their Act. It is possible.

Sri M. C. NARASINHAN.—In Madras they are quite confident of collecting it within one year.

Sri H. M. CHANNABASAPPA.—There are people who can always find ways and means of escaping assessment and escape payment. If you enact legislation with all the intelligence that you can command, there will still be people who will be over-intelligent and they escape. There, as a measure of safety, we have provided for three years.

Sri G. VENKTAI GOWDA.—If more time is given, there will be more lethargy on the part of officers Sir.

Sri H. M. CHANNABASAPPA.—There can be no lethargy. It is only time given for collecting the tax. It is not going to materially affect anybody's interests. I request that the Hon'ble Member may kindly withdraw the amendment.

Sri G. VENKTAI GOWDA.—I press my amendment Sir, It is a very reasonable amendment.

Mr. CHAIRMAN.—The question is:

"That in clause 7 for the words 'three years' the words 'one year' may be substituted."

The amendment was nagatived.

Mr. CHAIRMAN.—I will now put clause 7 to vote. The question is.

"That clause 7 stand part of the Bill".

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8

Mr. CHAIRMAN.—There is an amendment by Sri Venkatai Gowda.

Sri G. VENKTAI GOWDA.—Sir, I beg to move:

"That in clause 8 for the words 50 per cent the words 25 per cent may be substituted.

Mr. CHAIRMAN.—Amendment moved:

"That in clause 8 for the words 50 per cent the words 25 per cent may be substituted.

†Sri G. VENKATAI GOWDA.—It is a very simple amendment and it is in par with the provision made in the Madras Act. Apart from the non-payer of the tax being penalised, it is sought to impose in addition to the tax so payable a penalty not exceeding fifty per cent of the maximum tax which would have been payable to the State Government if the stage carriage had carried its full complement of passengers, luggage and goods or the public carrier vehicle had carried its full complement of goods during such month or portion thereof. According to clauses 5, 6 and 7, if the tax is not paid, this question of imposing penalty and recovery of not exceeding 50 per cent of the maximum tax in addition to the tax, will arise. The Madras Act provides for a penalty not exceeding 25 per cent. I feel that 50 per cent is a big sum. Therefore I have suggested that it may kindly be reduced to 25 per cent. It will not alter the position. Therefore, I request the Hon'ble Minister to concede this point which is not going to affect the position substantially and it is also in par with the provisions made under the Madras Act.

Sri M. C. NARASIMHAN.—Sir, it is not merely a question of Madras. There is no legislation in the whole of India which provides for this high penalty. Actually the Bombay Act. Section 8 provides for a 25 per cent penalty. There is no valid justification for saying that it should be so excessive. Even here supposing it is excessive, such a big penalty will only lead to illegal composition between the officer concerned and the assessee. It is our experience that to the extent there is very high rate of punishment, to that extent the escape actually takes place between the officer who is authorised to collect the levy and the assessee. In view of that practical experience, it is better that it is kept at 25 per cent and no more than that.

Sri Y. Veerappa.—The discretion given to the tax officer is rather dangerous. The key point that has to be considered in this case is that if the assessee fails to pay the tax in time, the question of penalty arises. Therefore, it does not stand to equity also to collect 50 per cent over and above the reasonable tax. Therefore, I feel that the Government will kindly consider this and accept this amendment.

†Sri H. M. Channabasappa.—I thought that the Hon'ble Member would not press this amendment too far. Because the intention is very clear. Wherever a person fails to pay the tax due to the Government in time,it is only under this circumstance that this penalty is contemplated. The arguments that are advanced will apply with equal force if it is reduced to 25 per cent. There is no particular sanctity about 25 per cent. Sri Venkatai Gowda seems to have always fascination of what Madras does ; that is natural because he has come from Madras. Therefore, I don't object to his having sent this motion because his natural affiliation to Madras where he stated for such a long time must have promoted him to bring in this amendment. That apart, 50 per cent is only the maximum limit. It does not mean that the officer should be precluded from levying 25 or 30 per cent within the maximum limit that is leviable. The argument advanced that if it is more, the room for corruption will be more, can be applied to 25 per cent also. So that would not be a valid argument to reduce the penalty from 50 per cent to 25 per cent. On the other hand, on the pain of penalty it is natural for the law breakers or the people who violate the provisions of the law if the penalty imposed is very big. The natural tendency wi l be that he should pay it up. So in order to induce the operators to pay it up in time lest he should be penalised up to 50 per cent, this will help recovery of the taxes in time. Therefore, there is nothing repugnant about it......

Sri Y. Veerappa.--There are genuine and humanitarian reasons.

Sri H. M. Channabasappa.—We have carefully worded it 'up to 50 per cent'. If circumstances do warrant it, there is no difficulty for the officers to reduce it to ten per cent. So 50 per cent is not the actual penalty that is going to be fixed ; it will be anywhere up to 50 per cent depending upon the circumstances. So I request Sri Venkatai Gowda to withdraw it.

Sri G. Venkatai Gowda.--Sir, I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Mr. Chairman.—Now I shall put clause 8 to vote. The question is :

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Mr. Chairman.—Clause 9.

Sri G. VENKATAI GOWDA.—Sir, I move :

"that in sub-clause (2) the words 'whether or not such vehicle or accessories are in the possession or control of the operator' and the proviso shall be deleted."

Mr. CHAIRMAN.—Amendment moved :

"That in sub-clause (2) the words 'whether or not such vehicle or accessories are in the possession or control of the operator' and the proviso shall be deleted."

Sri G. VENKATAI GOWDA.—The purpose for which I am moving the amendment is this: Supposing an operator who is in default of payment of this tax sells the vehicle to somebody who in good faith purchases it and when the vehicle is in the possession of the third party who has purchased it in good faith, is it justified to distrain such vehicle the transfer of which has been effected and which is not in the possession of the defaulter. Hence I move the amendment to delete the words "whether or not such vehicle or accessories are in the possession or control of the operator". That is my first point. In such cases are you justified in causing distraint of the vehicle in the possession of somebody else? So it might offend the provisions of the Civil Procedure Code because Order 21 Rule 580 is clear. Supposing a gentleman has purchased the vehicle of a defaulter in good faith; in such a case, you cannot go and distrain the vehicle or accessories which are in the possession of third party. Therefore, I suggest this simple amendment.

The second point is about the deletion of the proviso. The proviso says :

"Provided that no distraint shall be made in pursuance of this sub-section except at the instance or with the consent of the State Government or such officer as may be authorised by the State Government in this behalf."

Sub-clause (2) gives power for proceeding to distrain against the defaulter. When such power is given, why should Government retain that power, the power of giving sanction for the purpose of causing distraint. The tax officer is empowered under the provisions to levy and impose penalties not exceeding 50 per cent. When such power is given, why should you empower the tax officer himself to cause distraint ; why should the Government retain the power of giving sanction to any officer to cause the distraint? Supposing a default has been committed, the tax officer has to write to the State and obtain the permission of the Government for causing distraint. By the time sanction is obtained, the defaulter may sell his property and there will not be left anything available for the Government to realise. Therefore, power has got to be given to the tax officer to effect distraint and recover the arrears. From that point of view, I am moving the amendment.

†Sri Y. VEERAPPA.—Both legally and equitably, this portion of the sub-clause 'whether or not such vehicle or accessories are in the possession or control of the operator, will work as a great hardship on the third party who purchases the vehicle in good faith after fully paying the price. Therefore, I feel that these words must be deleted from the provisions. I am entirely in agreement with the view points put forth by the mover of the amendment. It is also desirable to remove the proviso. There is no need in retaining that power to the Government.

†Sri H. M. CHANNABASAPPA.—There are two points made out by Honourable Member, Sri Venkatai Gowda. One is that the tax officer himself might be empowered to make the distraint of the vehicle or its accessories in case of default. That is No. 1. The second point that he made out is that there is a legal objection to pass an order of distraint and distrain the vehicle or accessories if the same is in the posession of somebody else when a sale has been made. This has been examined from the point of legal law. There appears to be no legal lacuna in distraining the property which has been fradulently sold to somebody else. When the interest of the Government is there on the vehicle for non-payment of tax, it will naturally induce the purchaser to get a clearance of payment of tax up-to-date before he effects any purchase. In good faith the operator must also show that he has cleared all arrears of tax due in respect of the vehicle before he sells it. So it makes it incumbent and also it will be a fool-proof arrangement for the collection of tax that is due from the operator. Therefore, it will help both the purchaser as well as the seller and the Government. All of us will be sure of their own position. We will get our tax and the operator will get a clearance certificate before he disposes of the vehicle and the purchaser will make sure that the tax due in respect of the vehicle has been paid before he makes the purchase. Therefore, there is no such difficulty as the Honourable Member envisages.

The distraint of a vehicle is really a very serious thing and it will certainly mean some hardship on the person. So before effecting distraint, Government has thought it fit as a measure of protection against unlawful or illegal or unnecessary distraint.

Sri M. C. NARASIMHAN.—Will it not be more advantageous for you to have a clause similar to the one in the Bombay Act where there is a restriction on the use of stage carriage when he does not pay the tax? There is a blank restriction on the use of the vehicle itself on the road whenever there is a failure to pay the tax.

Sri H. M. CHANNABASAPPA.—I quite see that is one of the ways which may be adopted. Distraint procedure is also another way. Government chooses to keep this way instead of the other way because this is more effective, and we will be sure of our money and no unnecessary difficulties are created in the way. Why Government has kept that power is to give a certain measure of protection against unnecessary, unlawful or illegal acts committed by unscrupulous officers by unnecessarily

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distraining the property ? Human nature being what it is, such a thing will continue to exist and we should have safety measures to prevent things of that kind.

Sri G. VENKATAI GOWDA.—Even in Madras Government has not retained that power.

Sri H. M. CHANNABASAPPA.—There is some virtue in what Madras has done, what Bombay has done, what Mysore has done. We should also look to our own conveniences and if necessary, we should do things in a manner which others should follow. It is presumed when the matter goes to Government, naturally all these things would be gone into and the officer will exercise his powers with greater discretion and vigilance. This is only a measure of protection against unlawful, illegal or unnecessary distraint. Under these circumstances, the Hon'ble Member will see the reason behind what I have said and withdraw his amendment.

Sri G. VENKATAI GOWDA.—I am pressing my amendment.

Mr. CHAIRMAN. The question is:

"That in sub-clause (2) the words 'whether or not such vehicle or accessories are in the possession or control of the operator' and the proviso shall be deleted."

The amendment was negatived.

Mr. CHAIRMAN.—The question is:

"That clause 9 stand part of the Bill."

The motion was adopted.

"Clause 9 was added to the Bill."

Mr. CHAIRMAN.—Clause 10.

Sri G. VENKATAI GOWDA.—Sir, I move:

"That for sub-clause (2), the following sub-clause shall be substituted:

"The prescribed authority after giving the appellant an opportunity of being heard pass such orders on the appeal as he thinks fit and the prescribed officer shall have powers during the pendency of the appeal to stay the operation of the order appealed against."

Mr. CHAIRMAN.—Amendment moved:

"That for sub-clause (2), the following sub-clause shall be substituted:

The prescribed authority after giving the appellant an opportunity of being heard pass such orders on the appeal as he thinks fit and the prescribed officer shall have powers during the pendency of the appeal to stay the operation of the order appealed against."

Mr. Chairman.—There is another amendment.

Sri G. Venkatai Cowda.—Sir, I move :

"That after sub-clause (2) the following sub-clause shall be added:

"(3) The aggrieved party may prefer a revision before the Revenue Appellate Tribunal within sixty days from the passing of orders on appeal."

Mr. Chairman.—Amendment moved :

"That after sub-clause (2) the following sub-clause shall be added:

"(3) The aggrieved party may prefer a revision before the Revenue Appellate Tribunal within sixty days from the passing of orders on appeal."

Sri Venkatai Gowda.—So far as the adding of another new sub-clause is concerned, there is only a provision providing an opportunity for the aggrieved party to go in appeal and there is no further provision. If he believes that he is still aggrieved, there must be an opportunity for him to go again in revision. With that intention I have moved this amendment for the inclusion of another sub-clause so as to give an opportunity for the aggrieved party if he is so advised to go in revision. Usually in all fiscal laws this right of going in second appeal or revision has been provided. I want that a second opportunity should be given for the person who feels still aggrieved by the order passed. Therefore, I submit that the Minister would concede so far as this point is concerned that a second opportunity is to be given for the party who feels that he is still aggrieved.

Sri M. C. Narasimhan.—About the first amendment moved, I would only like to say that the right to appeal should not be conditional and the appellate authority or the prescribed authority should have power to stay the entire proceedings, for that the operator need not pay the tax till it is finally decided and disposed of. If a final decision is obtained, naturally he is bound to pay ; but in the meanwhile why should a condition be introduced that he should pay a tax admitted or otherwise.

Sri H. M. Channabasappa.—It is rather very strange that Sri Narasimhan and Sri Venkatai Gowda who are always interested in seeing that the right things should be done at the right time, should move an amendment to say that a person who has admitted that a certain amount is due from him to the Government should withhold payment and make an appeal. Clause 10 (1) says:

"Any operator objecting to a notice of demand served on him under Section 9 may, within thirty days of the service thereof, appeal to the prescribed authority:

Provided that no appeal shall be entertaind unless it is accompanied by satisfactory proof of the payment of the tax admitted by the appellant to be due."

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I can understand a man going for appeal for payment of a tax or an amount which does admit; but with respect of what he has admitted, if you say that even then an appeal should lie or some lenience should be given, that is not understandable.

Sri G. VENKATAI GOWDA.—Suppose he has to pay Rs. 50,000 and he is not able to pay. In such case, the right of appeal will be curtailed, if he does not pay.

Sri H. M. CHANNABASAPPA.—That is a different issue altogether. I can see if a person is unable to make payment, but this is a payment which is due in respect of the collections that have been made. He collects from the tax-payers and we cannot allow him to keep the amount for himself or even to delay payment.

The second point which the Honourable Member has made is, a second appeal. Justice delayed is as good as justice denied.

12-00 NOON.

A person aggrieved by the order has been given the opportunity of one appeal. If you say, a second appeal, I will ask, why not a third appeal and a fourth appeal!

Now, Sir, for these reasons, I request the Hon'ble Member to withdraw his amendment.

Sri G. VENKATAI GOWDA.—So far as the first amendment is concerned, I withdraw.

The amendment was, by leave of the House, withdrawn.

Mr. CHAIRMAN.—The question is:—

"That after sub-clause (2) the following sub-clause shall be added." (3) The aggrieved party may prefer a revision before the Revenue Appellate Tribunal within 60 days from the passing of orders on appeal".

The amendment was negatived.

Mr. CHAIRMAN.—Clause 10. The question is :

"That Clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

Mr. CHAIRMAN.—Clauses 11 to 13, both inclusive.

The queston is :

"That Clauses 11 to 13, both inclusive stand part of the Bill".

The motion was adopted.

Clauses 11 to 13, both inclusive, were added to the Bill.

Sri V. SRINIVASA SHETTY.—On a point of order, Sir, In clause 13, sub-clause (1),last but one sentence, there is the word, Ordinace' We are not dealing with an ordinance, but with a Bill. Is it a mistake or what is it ?

Mr. CHAIRMAN.—It is a printing mistake.

Clause 14:

Sri. H. M. CHANNABASAPPA.—Sir, I move:

"That in clause (1), for the words 'Second Schedule' the word 'Schedule' shall be substituted."

Mr. CHAIRMAN.—Amendment moved:

" That in sub-clause (1), for the words 'Second Schedule' the word 'Schedule' shall be substituted."

Sri. H. M. CHANNABASAPPA.—Sir, Because of the amendment to clause 3 that has been passed, the Schedule I will go and Schedule II will become Schedule I.

Mr. CHAIRMAN.—The question is :

"That in sub-clause (1), for the words 'Second' Schedule' the word 'Schedule' shall be substituted."

The amendment was adopted.

Mr. CHAIRMAN.—The question is:

"That clause 14 as amedend stand part of the Bill"

The motion was adopted.

Clause 14, as amended, was added to the Bill.

Mr CHAIRMAN.—Clause 15 to 18 both inclusive The question is:

"That Clauses 15 to 18, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 15 to 18, both inclusive, were added to the Bill.

Mr. CHAIRMAN.—Clause 19. There is an amendment.

Sri M. C. NARASIMHAN.— (K. G. F.—I beg to move:

"That sub-clause (i) to clause 19 be deleted."

Mr. CHAIRMAN:—Amendment moved.

"That sub-clause (i) to clause 19 be deleted."

†Sri M. C. NARASIMHAN.—Sir, the point is simple. In seeking the deletion of this clause, I am only seeking to incorporate a principle of law, namely, equality before the eye of law. Article 14 definitely says that there should be equality before the eye of law. If this principle is conceded, I do not see any justification why a tax officer is not

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liable for prosecution unless prior permission of the Government is taken? If a tax officer commits anything for which he can be hauled up before the criminal court, where is the necessity to obtain prior sanction means, delay. Secondly, it means unnecessary harrassment in certain cases. Supposing a person in Belgaum has material enough to get the tax officer prosecuted for something done wrongly and illegally. There is no reason why he should be made to run from Belgaum to Bangalore and wait on the Minister or the concerned officer and get permission to prosecute the officer. Our experience is that if minor or petty officers are vested with powers of a radical nature, they are likely to abuse it. The Hon'ble Minister himself has conceded that there is a possibility of mis-use. If that is so, why should this abnormal protection be afforded to officers and why should a common man be burdened with the task of obtaining the consent of an unwilling Government. I submit that people would find it a great hardship to come to Bangalore from distant areas just to get the approva' of Government.

The second clause is more than sufficient to protect Government servants who exercise their powers *bona fide*. Such a protection is found in all taxation enactments and is a reasonable measure, to shield Government servants from vexatious litigation by mischievous litigants. We have found that it is exceedingly difficult to obtain the consent of Government even in respect of welfare measures relating to labour and even when the prosecution proposed to be launched is reasonable and the violation by the officer is patent and illegal. If that be so, it would be much worse in a taxation measure, where abuse by officers would be common. This restriction is extraordinary and unreasonable and is not in consonance with current trend of thought. Hence I oppose it.

† Sri V. S. PATIL.—I rise to support to the amendment moved by my friend Sri Narasimhan. I agree that the provision made in this clause is extraordinary. The Criminal Procedure Code affords adequate protection to Government employees who discharge their duty in a *bona fide* manner. In view of this I find no satifactory explanation as to why Government's sanction is necessary for launching prosecution against erring Government servants. During all the 150 years of British regime, there was no provision exempting Government servants from criminal prosecution under any special enactment. The second clause saves Government servants from civil liability for acts done in good faith. That is a reasonable protection and no more protection is called for. Compelling an individual to seek prior approval of Government tantamounts to denial of justice because I doubt if in a thousand cases for which Government's permission is sought, they would give such sanction even in one single case. We know that any application made to the secretariat in this building gets lost and

it is difficult to trace it. That is the complaint made by Congress Members. Even after two years Secretariat papers are not traceable. Therefore such a provision encroaches on the rights of members of the public. I therefore support the amenment and hope the Minister would see the wisdom in the amendment.

† Sri G. Venkatai Gowda.—Sir, this is a strange clause. I cannot understand why Government wants to retain this extraordinary provision. This is an abridgement of the fundamental rights of citizens and it is uncalled for and unwarranted. If an individual feels aggrieved and would like to prosecute an officer, he should be at liberty to do so and should not be made to wait on the Government. The Government officer has protection under the normal law for anything done by him *bona fide* in due discharge of his legal duty. Therefore, I would request the Hon'ble Minister to accept the amendment.

† Sri H.M. Channabasappa.—I am afraid Hon'ble Members who poke in support of the amendment have not seen to the practical aspects of things. They have been simply harping on some imaginery difficulties that may or may not arise. Hon'ble Members will realise how difficult it would be to give the required protection to law-abiding, honest officers if the clause is deleted. Sri Venkatai Gowda and V. S. Patil who happen to be lawyers must be knowing that there is a similar provision in the criminal procedure code where officers who are called upon to exercise certain powers under certain enactments, are protected. If the door is thrown open, Government officers would be open to grave risks and would not like to do their work in just and impartial manner. If the Cr. P. C. has not given the protection it had, police officers would daily be flooded with criminal prosecutions, even a confirmed vagabond would challenge the motives of a police officer. Therefore, such a provision is inevitable and necessary. Otherwise, administration would become impossible.

Sri V. S. Patil.—What about the safeguards in the Criminal Procedure Code.

Sri H. M. Channabasappa.—You are speaking of the fundamental right and also Article 14 which are always subject to reasonable restrictions as are necessary for the due discharge of the Governmental duty as contemplated in the legislation as prescribed, and the apprehension that some of the Members have in their mind, I do not think there is any room for them. If so, it would be very difficult to get the sanction of Government. I ask you in how many cases did people approach the Government for prosecution against the Government officer and in how many cases, it has been refused? I have been a Minister for about three years now and also for some years in the past. During my regime as Minister, I have not found one case where the public have come to me and asked me for such a sanction.

Sri V. Srinivasa Shetty.—We know you will refuse it.

Sri M. C. Narasimhan.—I have tried it.

Sri H. M. Channabasappa.—There may have been cases where you may have asked and it might have been refused for very good reasons. If you are really interested in the administration being run properly according to law and interested in protecting honest officers, law abiding officers, to discharge their duties according to law, then you should be one with me in saying that that provision is there. If you want to see that every officer who discharges his duty should be waiting in the court, it will only create a state of confusion. It provides so much field for lawyers.

Sri G. Venkatai Gowda.—Who are you to ask me to take permission to launch prosecution?

Sri H. M. Channabasappa.—Well Sir, I am here as Home Minister with the power obtained from the legislature to ask you to obtain permission.

Sri V. S. Patil.—I should like to ask one explanation. The amendment only seeks to delete this clause because there is already a provision in the Criminal Procedure Code so far as criminal prosecutions are concerned. I want to know from the Hon'ble Minister when there is already a provision there, where is the necessity for this clause here ?

Sri H. M. Channabasappa.—Clause 19 says :

> "No officer or servent of the Government shall be liable in respect of any such act in any civil or criminal proceedings, if the act was done in good faith in the course of the execution of duties or the discharge of functions imposed by or under this Act."

A person tries to collect taxes and he refuses to give or he man-handles him,—I told you in the course of my reply to the debate that our troubles are not with habitual offenders. Our troubles are with some other people. In the interest of due discharge of duties, in the interest of good administration, in the interest of everything that is good, I appeal to the Hon'ble Member to withdraw it, because this is a power which is very necessary and after all, in what way Government is interested if an officer has misused his power and it is brought to the notice of the Government, do you think that Government will come in the way of his prosecution? All that Government wants is to satisfy itself that there is a *prima facie* case. If you can show that much of material, Government would never stand in the way allowing prosecutions.

Sri G. Venkatai Gowda.—There is sufficient protection under the Cr. P.C.

Sri H. M. Channabasappa.—It is only when you go to a court of law it operates. Therefore, this provision requiring a person who wants to proceed against an officer in a court of law to take previous permission of the Government is very necessary in the interest of Justice.

Sri V. S. Patil.—My doubt has not been cleared Sir. I am asking when there is a provision in the Cr.P.C. why this special provision here ?

Sri H. M. Channabasappa.—Cr. P.C. 107 makes provision and you refer to that. That does not apply to all Government servents. It applies to those who are removed from office of the Government. This provision in the Bill is therefore very necessary and after all you are interested in the good Government and therefore, please agree.

Sri M. C. Narasimhan.—On principle, I press my amendment, Sir.

Mr. Chairman.—Then I put the amendment to the vote of the House. The question is:

"That sub-clause (1) to Clause 19 be deleted."

The amendment was negatived.

Sri V. S. Patil.—I demand a poll Sir.

Mr. Chairman.—The House devided : Ayes: 10.
Nays: 22.

The amendment was lost.

Mr. Chairman —I now put clause 19 to the vote.

The question is:

"That clause 19 stand part of the Bill."

The motion was adopted.

Clause 19 was added to the Bill.

Clause 20.

Mr. Chairman.—There is an amendment.

Sri M. C. Narasimhan.—Sir, I beg to move the amendment:

"That in clause 20 for the words 'one year' the words 'three years' shall be substituted."

Mr. Chairman.—Amendment moved:

That in clause 20 for the words 'one year' the words 'three years' shall be substituted.

Sri G. Venkatai Gowda.—I beg to move :

"That the following explanation shall be added at the end of the clause:

"explanation: The time required to obtain previous permission of the Government is excluded for counting the period of limitation."

Mr. Chairman.—Amendment moved:

"That the following explanation shall be added at the end of the clause:

"Explanation: The time required to obtain previous permission of the Government is excluded for counting the period of limitation."

†Sri M. C. NARASIMHAN.—Sir, the point is very simple and on grounds of equity and justice, I am suggesting this amendment. Sir, you will recollect that under clause 7 which we have passed, we have accepted a period of three years when there is a case of escape of assessment or tax, up to a period of three years, the Government have the right to institute proceedings against assessee. Likewise here, supposing a person has paid more than his due for some circumstance beyond his knowledge, why should the right to recover what is really due to him be limited in this manner as provided in clause 20? Why should he be compelled to limit himself to one year's period? Since the previous clause 10 retains the permission of giving permission being vested in the Government, it may take some time and it may take more than one year in certain cases. Then this may operate against the interest of a person who may have a *bona fide* grievance. His rights will be affected. It is customary to provide for limitation of three years and hence this amendment may be accepted.

Sri G. VENKATAI GOWDA.—So far as the other amendment to clause 20 is concerned, namely the addition of an explanation to it, this really relates to clause 19 which vests power in Government to give permission to launch prosecutions. The time limit presc ibed in clause 20 is one year. Suppose I go to the Government and seek permission of Government to launch prosecution and the Government is not able to determine within the period of one year what happens. Am I able to launch the prosecution as contemplated within one year? No. Because the pervious permission of Government is necessary to launch the prosecution under clause 20. So I have added an Explanation that the time required to obtain the permission of Government should be excluded in calculating the period of limitation.

† Sri H. M. CHANNABASAPPA.—The Hon'ble Member Sri Venkatai Gowda has very ably tried to explain to the House that there might be some difficulty in getting the permission in time. I see that there is some force in it, but I want to give him and the House an assurance that we will prescribe a time limit within which Government must either say 'Yes' or 'No' to a request made in respect of prosecution. With this assurance, I am sure the Hon'ble Member will agree to this clause.

Sri G. VENKATAI GOWDA.—You may give an assurance in this behalf, but if the statute does not provide so there will be a restraint on me to launch the prosecution unless I obtain the permission of Government within one year.

Sri H. M. CHANNABASAPPA.—Your apprehension was that Government may take 11 months for giving permission and then within the remaining 1 month he will not be able to launch the prosecution. We will see that Hon'ble Member's desire is fulfilled so far as possible. When an application to this effect is made, we will see that it is expedited within a reasonable period so that you may have ample time left.

Mr. Chairman.—I will first put Sri Narasimhan's amendment. The question is:

"That For the words 'one year', the words 'three years' shall be substituted."

The amendment was negatived.

Mr. Chairman.—Now I will put Sri Venkatai Gowda's amendment.

The question is:

"The following explanation shall be added at the end of the clause :

"Explanation: The time required to obtain pervious permission of the Government is excluded for counting the period of limitation."

The amendment was negatived.

Mr. Chairman.—I will put clause 20 to the House.

The question is :

"That clause 20 stand part of the Bill."

The motion was adopted.

"Clause 20 was added to the Bill."

Mr. Chairman.—The question is:

"That clause 21 stand part of the Bill."

The motion was adopted.

"Clause 21 was added to the Bill."

Sri H. M. Channabasappa.—I beg to move:

"That The First Schedule shall be omitted."

Mr. Chairman.—The question is:

"That the First Schedule be omitted."

The motion was adopted.

"The First Schedule was deleted from the Bill."

Sri H. M. Channabasappa.—I beg to move:

"That for the words 'Second Schedule' the word 'Schedule' shall be substituted."

Mr. Chairman.—The question is:

"That for words 'Second Schedule' the word 'Schedule' shall be substituted."

The amendment was adopted.

Sri M. C. Narasimhan.—I do not want to move my amendment to the Schedule.

Mr. CHAIRMAN.—The question is:

"That the Schedule, as amended, stand part of the Bill.

The motion was adopted.

"The Schedule, as amended, was added to the Bill."

Mr. CHAIRMAN.—The question is:

"That clause 1 and the Title and the Preamble stand part of the Bill."

The motion was adopted.

"Clause 1, the Title and the Preamble were added to the Bill."

Motion to pass.

Sri H. M. CHANNABASAPPA.—I beg to move:

That the Mysore Motor Vehicles (Taxation of passengers and goods) Bill, 1959, as amended, be passed.

Mr. CHAIRMAN.—The question is:

"That the Mysore Motor Vehicles (Taxation of passengers and goods) Bill, 1959, as amended, be passed."

The motion was adopted.

Mr. CHAIRMAN.—The House will now adjourn and meet at 1 P.M. on Monday.

The House adjourned at Thirty Minutes past Twelve of the Clock to meet again at One of the Clock on Monday, the 3rd April 1961.